



CHILDREN, FAMILIES, HEALTH AND HUMAN SERVICES INTERIM COMMITTEE

68th Montana Legislature

SENATE MEMBERS

Daniel Emrich
Chris Friedel
Jen Gross
Dennis Lenz

HOUSE MEMBERS

Jennifer Carlson
SJ Howell
Ron Marshall
Michael Yakawich

COMMITTEE STAFF

Milly Allen - Research Analyst
Madelyn Krezowski - Attorney
Jolanda Songer - Secretary

MINUTES LOG

March 12, 2024
Room 102
Helena, Montana

Please note: This document is a Minutes Log and provides annotation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video recording of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of the meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

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MEMBERS PRESENT:

Sen. Dennis Lenz, Chair (R)
Rep. SJ Howell, Vice Chair (D)
Rep. Jennifer Carlson (R)
Sen. Daniel Emrich (R)
Sen. Chris Friedel (R)
Sen. Jen Gross (D)
Rep. Michael Yakawich (R)

MEMBERS EXCUSED:

Rep. Ron Marshall (R)

MEMBERS ABSENT:

STAFF PRESENT:

Milly Allen, Research Analyst
Madelyn Krezowski, Attorney
Jolanda Songer, Secretary

AGENDA ([Attachment 1](#))

VISITORS' LIST ([Attachment 2](#))

CALL TO ORDER/ROLL CALL

08:33:32 Presiding Officer Lenz called the meeting to order at 8:33 AM. The committee secretary took roll.

DEPARTMENT UPDATES

Organizational Highlights

08:34:49 Charlie Brereton, Director, Department of Public Health and Human Services

[EXHIBIT 1](#) (Slides 3 - 4)

[EXHIBIT 2](#)

[EXHIBIT 3](#)

[EXHIBIT 4](#)

[EXHIBIT 5](#)

[EXHIBIT 6](#)

Committee Questions and Discussion

08:44:19 Sen. Emrich

08:46:32 Rep. Yakawich

DEPARTMENT UPDATES Continued

Administrative Rulemaking Update

08:47:29 Seana Westcarr-Gray, Information and regulatory Affairs Counselor, DPHHS

[EXHIBIT 1](#) (Slides 6 - 8)

Committee Questions and Discussion

08:51:48 Sen. Emrich

08:52:24 Rep. Carlson

08:53:19 Director Brereton

08:53:47 Rep. Carlson

DEPARTMENT UPDATES Continued

TANF Pathways and SNAP E&T Updates

08:53:57 Director Brereton

[EXHIBIT 1](#) (Slides 10 - 18)

Committee Questions and Discussion

09:17:29 Presiding Officer Lenz

09:21:22 Sen. Emrich

DEPARTMENT UPDATES Continued
Statewide Coverage Plan for E&T Services

09:23:25 Rachel Zietlow, Vice President, Maximus Workforce Services Practice
[EXHIBIT 1](#) (Slides 19 - 25)

Committee Questions and Discussion

09:33:40 Rep. Yakawich

09:36:04 Director Brereton

09:37:23 Vice Presiding Officer Howell

09:37:55 Rachel Zietlow

09:38:20 Vice Presiding Officer Howell

09:38:41 Director Brereton

09:39:26 Rachel Zietlow

09:40:05 Director Brereton

09:40:58 Sen. Emrich

09:41:24 Director Brereton

09:43:29 Rep. Carlson

09:44:05 Director Brereton

09:47:26 Sen. Gross

09:48:02 Director Brereton

09:49:19 Rachel Zietlow

09:50:45 Director Brereton

09:50:58 Sen. Gross

09:51:13 Rachel Zietlow

09:53:40 Director Brereton

09:54:48 Presiding Officer Lenz

09:55:23 Rep. Carlson

09:56:06 Director Brereton

09:56:42 Presiding Officer Lenz

DEPARTMENT UPDATES Continued
Medicaid Redeterminations

09:56:53 Director Brereton
[EXHIBIT 1](#) (Slides 27 - 29)

Committee Questions and Discussion

10:06:13 Vice Presiding Officer Howell

10:07:26 Director Brereton

10:07:35 Jessie Counts, Administrator, Human & Community Services Division (DPHHS)

10:07:51 Vice Presiding Officer Howell

10:08:39 Jessie Counts

10:09:39 Vice Presiding Officer Howell

10:10:05 Director Brereton

10:12:53 Sen. Emrich

10:13:54 Sen. Gross

10:15:34 Rep. Carlson

10:16:22 Jessie Counts

DEPARTMENT UPDATES Continued

HEART 1115 Waiver Update

10:17:46 Rebecca de Camara, Administrator, Behavioral Health and Developmental
Disabilities Division
[EXHIBIT 1](#) (Slides 31 - 32)

DEPARTMENT UPDATES Continued

HB 872: Behavioral Health System for Future Generations (BHSFG) Update

10:26:50 Rep. Keenan
[EXHIBIT 1](#) (Slides 34 - 37)

Committee Questions and Discussion

10:30:26 Rep. Yakawich

10:31:41 Rep. Carlson

10:32:25 Director Brereton

10:33:20 Presiding Officer Lenz

10:33:57 Sen. Gross
10:37:06 Rep. Yakawich
10:37:46 Sen. Lenz
10:38:28 Director Brereton

RECESS

10:40:17 Reconvened at 10:55:33 a.m.

Staff Introductions

10:55:47 Josh Poulette, Senior Fiscal Analyst at the Legislative Fiscal Division introduced Fiscal Analyst, Adam Sechrist.

DEPARTMENT UPDATES Continued

HB 872

10:56:37 Director Brereton

Best Beginnings Childcare Subsidies

10:57:16 Tracy Moseman, Administrator, Early Childhood and Family Support Division
[EXHIBIT 1](#) (Slides 39 - 41)

Committee Questions and Discussion

11:02:38 Rep. Carlson

DEPARTMENT UPDATES Continued

Healthcare Facilities Update

11:07:20 Jennifer Savage, Chief Administrative Officer, Healthcare Facilities Division
[EXHIBIT 1](#) (Slides 43 - 46)

Committee Questions and Discussion

11:12:14 Rep. Yakawich

11:12:24 Director Brereton

DEPARTMENT UPDATES Continued

Hiring Incentive & Retention Program

11:13:49 Director Brereton
[EXHIBIT 1](#) (Slides 48 - 51)

Public Comment on the Department of Public Health and Human Services Updates

11:20:18 None

ADMINISTRATIVE RULE REVIEW

11:20:47 Maddie Krezowski, Attorney
[EXHIBIT 7](#)
[EXHIBIT 8](#)
[EXHIBIT 9](#)

[EXHIBIT 10](#)
[EXHIBIT 11](#)
[EXHIBIT 12](#)

11:22:58 Sen. Lenz commented regarding the formal objection.

11:23:48 Maddie Krezowski

Committee Questions and Discussions

11:29:56 Sen. Friedel

11:31:31 Sen. Lenz

11:31:55 Maddie Krezowski

11:32:51 Sen. Friedel

11:33:11 Maddie Krezowski

ADMINISTRATIVE RULE REVIEW Continued

11:33:50 Maddie Krezowski

Committee Questions and Discussion

11:38:11 Rep. Howell

11:40:28 Sen. Lenz

11:40:42 Rep. Carlson

11:43:40 Sen. Lenz

11:45:46 Rep. Yakawich

11:46:08 Sen. Lenz

11:46:40 Rep. Carlson

11:46:52 Rep. Yakawich

11:52:12 Vice Presiding Officer Howell

11:53:19 Presiding Officer Lenz

11:53:53 Nikki Grossberg, Administrator, Child and Family Services, DPHHS

11:55:16 Rep. Carlson

11:55:42 Nikki Grossberg

11:56:18 Sen. Lenz

11:56:23 Nikki Grossberg
11:56:31 Presiding Officer Lenz
11:57:37 Rep. Carlson
11:57:44 Nikki Grossberg
11:56:49 Sen. Lenz
11:56:58 Rep. Carlson
11:57:30 Nikki Grossberg
11:57:59 Rep. Carlson
11:59:52 Nikki Grossberg
12:00:25 Presiding Officer Lenz
12:01:19 Nikki Grossberg
12:01:29 Vice Presiding Officer Howell
12:02:33 Sen. Emrich
12:04:46 Paula Stannard, Chief Legal Counsel, DPHHS
12:04:57 Sen. Emrich
12:08:29 Nikki Grossberg
12:08:46 Vice Presiding Officer Howell
12:10:01 Nikki Grossberg
12:10:25 Rep. Carlson
12:10:31 Vice Presiding Officer Howell
12:11:00 Rep. Carlson
12:14:34 Nikki Grossberg

Public Comment on Administrative Rule Review, the Rule Objection, and the Childcare Rules

12:15:29 Carrie Krepps, Executive Director, Florence Crittenton
12:20:08 Caitlin Jensen, Executive Director, Zero to Five Montana

12:23:21 Todd O'Hair, President and CEO, Montana Chamber of Commerce

12:25:35 Nick Domitrovich

Committee Questions and Discussion

12:28:09 Sen. Lenz

12:28:28 Sen. Gross

Public Comment on Administrative Rule Review, the Rule Objection, and the Childcare Rules Continued

12:29:03 Jean Branscum, CEO, Montana Medical Association

12:31:42 Heather O'loughlin, Executive Director, Montana Budget and Policy Center and Representing Montana Advocates for Children

12:35:38 Lawrence Killsback, Director, Montana Families for Vaccines

12:40:16 Brian Dennis, President, Boys and Girls Clubs of Yellowstone County

Committee Questions and Discussion

12:44:09 Sen. Lenz

Public Comment on Administrative Rule Review, the Rule Objection, and the Childcare Rules Continued

12:44:36 Marian Kummer

12:47:01 Lauren Wilson, President, Montana Chapter of American Academy of Pediatrics

12:48:01 Angie Armour, Executive Director, Raise Montana

RECESS

12:49:30 Reconvened at 13:45:44.

13:44:20 Julia Hamilton left the meeting.

13:45:58 Josh Poulette has joined the meeting.

DEPARTMENT OF LABOR AND INDUSTRY INTRODUCTIONS

13:46:06 Commissioner Sarah Swanson, DLI
[EXHIBIT 13](#) (handout: strategic leadership team)

Committee Questions and Discussions

14:09:26 Presiding Officer Lenz

14:10:50 Sen. Gross

14:13:36 Vice Presiding Officer Howell

14:15:03 Rep. Yakawich

14:19:48 Rep. Carlson

NURSING WORKFORCE

14:24:30 Emily Trautman, Senior Economist, Montana department of Labor and Industry
[EXHIBIT 14](#)
[EXHIBIT 15](#)
[EXHIBIT 16](#)

Committee Questions and Discussion

14:52:11 Presiding Officer Lenz

14:53:56 Rep. Carlson

14:56:19 Rep. Yakawich

14:58:13 Presiding Officer Lenz

RECESS

14:58:55 Reconvened at 15:15.56.

PUBLIC COMMENT ON ANY TOPIC WITHIN THE SCOPE OF THE COMMITTEE NOT ON THIS AGENDA (First of Two Open Public Comment Periods; the Second is on March 13)

15:16:30 Jean Branscum, Montana Medical Association
[EXHIBIT 17](#)

BRIEF WORK SESSION

15:20:12 Milly Allen, Research Analyst

15:22:10 Sen. Gross

15:22:55 Presiding Officer Lenz

15:23:23 Sen. Gross

15:23:47 Milly Allen

15:24:51 Sen. Gross

15:25:15 Presiding Officer Lenz

15:25:32 Rep. Yakawich

15:26:10 Milly Allen

15:26:25 Sen. Gross

15:26:48 Presiding Officer Lenz

Motion

15:27:17 Rep. Carlson moved to renew the informal objection to MAR 37-1004.

Discussion to the Motion

15:27:55 Rep. Carlson
15:28:41 Presiding Officer Lenz
15:29:15 Vice Presiding Officer Howell
15:30:33 Presiding Officer Lenz
15:30:49 Rep. Yakawich
15:31:42 Sen. Emrich

Vote

15:32:57 The motion carried unanimously by roll call vote.

Committee Questions and Discussion on the Daycare Rules

15:33:46 Presiding Officer Lenz
15:34:14 Maddie Krezowski
[EXHIBIT 10](#)
15:37:37 Presiding Officer Lenz
15:39:47 Vice Presiding Officer Howell
15:43:48 Sen. Emrich
15:47:19 Presiding Officer Lenz
15:51:33 Sen. Gross
15:52:52 Presiding Officer Lenz
15:53:58 Sen. Gross
15:54:27 Vice Presiding Officer Howell
15:54:42 Tracy Moseman, DPHHS
15:58:29 Presiding Officer Lenz
15:58:52 Tracy Moseman
16:00:16 Rep. Yakawich
16:01:10 Tracy Moseman

16:03:08 Maddie Krezowski
16:04:48 Presiding Officer Lenz
16:05:21 Sen. Friedel
16:05:50 Presiding Officer Lenz
16:06:33 Sen. Friedel
16:07:09 Rep. Carlson

Motion

16:18:43 Rep. Carlson moved to formally object MAR 37-1044.

Discussion on the Motion

16:19:15 Vice Presiding Officer Howell

Substitute Motion

16:24:24 Rep. Howell moved a substitute motion to object to Rule 65 of MAR 37-1044.

Discussion on the Substitute Motion

16:24:58 Maddie Krezowski
16:26:01 Sen. Emrich
16:28:37 Presiding Officer Lenz
16:31:29 Sen. Gross

Vote

16:33:24 The substitute motion failed 6 - 2 by roll call vote with Rep. Howell, Sen. Gross voting, yes.

Discussion on the Motion

16:34:12 Rep. Yakawich
16:36:02 Rep. Carlson
16:36:27 Sen. Emrich
16:37:01 Presiding Officer Lenz
16:37:11 Vice Presiding Officer Howell

Vote

16:38:32 The motion carried unanimously by roll call vote.

Committee Questions and Discussion

16:39:24 Rep. Carlson

16:40:12 Maddie Krezowski

16:41:05 Sen. Emrich

16:41:33 Tracy Moseman

16:42:12 Milly Allen

16:42:26 Presiding Officer Lenz

RECESS

16:43:24 Until 8:30 a.m. on March 13, 2024.