



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

May 09, 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)
Rep. Ron Marshall (R)
Rep. Michael Yakawich (R)

MEMBERS EXCUSED:

Sen. Jen Gross (D)

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

08:31:23 Chair Dennis Lenz called the meeting to order at 8:31 AM. The committee secretary took roll.

DEPARTMENT UPDATES

08:32:27 Charlie Brereton, Director, Department of Public Health, and Human Services (DPHHS)

[EXHIBIT 1](#), Pages 3 - 7

[EXHIBIT 2](#)

08:37:07 Sen. Gross joined the meeting.

08:41:16 Presiding Officer Dennis Lenz

DEPARTMENT UPDATES Continued

08:41:52 Director Brereton, DPHHS

(See Exhibit 1, Pages 9 - 16)

Committee Questions and Discussion

08:53:57 Vice Presiding Officer SJ Howell

08:54:54 Director Brereton

08:55:12 Jody Lehman, Child Care Bureau Chief, Early Childhood and Family Support Division, DPHHS

08:56:17 Director Brereton

08:57:03 Jessie Counts, Administrator, Human & Community Services Division, DPHHS

09:02:28 Rep. Carlson

09:02:57 Director Brereton

09:10:20 Sen. Gross

09:10:54 Director Brereton

09:12:35 Vice Presiding Officer SJ Howell

09:13:20 Director Brereton

09:15:17 Rep. Mike Yakawich

09:16:12 Director Brereton

09:17:09 Rep. Jennifer Carlson

09:17:51 Director Brereton

09:18:33 Presiding Officer Dennis Lenz

09:18:43 Director Brereton

09:19:04 Presiding Officer Dennis Lenz

09:19:23 Vice Presiding Officer SJ Howell

09:19:56 Barb Smith, Administrator, Senior & Long Term Care Division, DPHHS

09:21:20 Presiding Officer Dennis Lenz

09:21:46 Director Brereton introduced Trevor Tangen, who will replace Barb Smith upon her retirement.
09:21:59 Rep. Mike Yakawich
09:22:34 Sen. Jen Gross
09:22:50 Director Brereton
09:23:14 Milly Allen, Research Analyst, Legislative Services Division (LSD)
09:23:43 Sen. Jen Gross

Public Comment on Department Updates

09:25:23 Rose Hughes, Executive Director, Montana Health Care Association (MHCA)
[EXHIBIT 3](#)
09:32:28 Matt Kuntz, Executive Director, National Alliance on Mental Illness (NAMI)

Committee Questions and Discussion

09:36:11 Rep. Jennifer Carlson
09:37:04 Director Brereton
09:37:58 Rep. Carlson requested information regarding traditional Medicaid and Medicaid Expansion.
09:38:35 Director Brereton
09:41:56 Rebecca de Camara, Administrator, Behavioral Health & Developmental Disabilities Division, DPHHS
09:42:54 Sen. Jen Gross
09:44:02 Director Brereton
09:45:53 Presiding Officer Dennis Lenz
09:46:34 Director Brereton
09:47:02 Rep. Ron Marshall
09:48:41 Director Brereton
09:49:44 Rep. Jennifer Carlson
09:50:04 Presiding Officer Dennis Lenz
09:50:32 Director Brereton
09:51:17 Vice Presiding Officer SJ Howell
09:51:28 Rose Hughes, MHCA
09:54:25 Presiding Officer Dennis Lenz
09:58:57 Rep. Jennifer Carlson
09:59:23 Rose Hughes
10:00:44 Rep. Jennifer Carlson
10:01:10 Jessie Counts, DPHHS
10:02:48 Presiding Officer Dennis Lenz
10:03:02 Jessie Counts
10:03:28 Vice Presiding Officer SJ Howell
10:04:15 Jessie Counts

10:05:31 Vice Presiding Officer SJ Howell requested information regarding the percentage of applications processed that take longer than 45 days from MAGI or 90 days for non-MAGI.
10:06:01 Rep. Ron Marshall
10:06:12 Jessie Counts
10:07:20 Presiding Officer Dennis Lenz
10:08:34 Jessie Counts
10:10:07 Vice Presiding Officer SJ Howell
10:11:18 Jessie Counts

10:12:29 **Recessed**
10:28:49 **Reconvened**

10:28:53 Presiding Officer Dennis Lenz
10:29:38 Milly Allen, LSD

Department of Public Health and Human Services Introductions

10:30:09 Paula Stannard, Chief Legal Counsel
10:30:18 Heidi Sanders, Attorney, Child Care Licensing
10:30:28 Jody Lehman, Bureau Chief, Child Care Bureau
10:30:36 Nikki Grossberg, Administrator, Child and Family Services

ADMINISTRATIVE RULE REVIEW

10:31:39 Maddie Krezowski, Attorney, LSD
[EXHIBIT 4](#)
[EXHIBIT 5](#)
[EXHIBIT 6](#)
[EXHIBIT 7](#)
[EXHIBIT 8](#)
[EXHIBIT 9](#)

Committee Questions and Discussion

10:43:09 Presiding Officer Dennis Lenz
10:44:42 Paula Stannard, DPHHS
10:45:59 Heidi Sanders, DPHHS
10:49:00 Rep. Jennifer Carlson
10:49:54 Heidi Sanders
10:50:05 Rep. Jennifer Carlson requested the Department separate Rule 21 into a separate package so CFHHS can pass it.
10:50:10 Presiding Officer Dennis Lenz
10:50:58 Rep. Ron Marshall
10:51:24 Rep. Jennifer Carlson
10:52:11 Jody Lehman
10:52:31 Vice Presiding Officer SJ Howell

10:54:31 Nikki Grossberg, DPHHS
 10:56:07 Presiding Officer Dennis Lenz
 10:56:28 Nikki Grossberg
 10:56:44 Rep. Jennifer Carlson
 (See Exhibit 7, Page 220)
 10:58:21 Nikki Grossberg
 (See Exhibit 7, Page 224)
 11:00:09 Rep. Jennifer Carlson
 (See Exhibit 7, Page 224)
 11:01:22 Maddie Krezowski, LSD
 (See Exhibit 7, Page 229)
 11:01:55 Nikki Grossberg
 (See Exhibit 7, Page 229)
 11:03:21 Presiding Officer Dennis Lenz
 11:03:56 Rep. Mike Yakawich
 11:04:16 Rep. Jennifer Carlson
 (See Exhibit 7, Page 218)
 11:04:55 Nikki Grossberg
 11:05:10 Vice Presiding Officer SJ Howell
 11:07:33 Nikki Grossberg
 11:08:34 Vice Presiding Officer SJ Howell
 11:09:51 Rep. Mike Yakawich
 11:10:22 Presiding Officer Dennis Lenz
 11:12:39 Maddie Krezowski

Public Comment on Administrative Rule Review

11:13:08 Alex DuBois, Policy and Engagement Director, Zero to Five Montana
 11:15:38 Rachel Wanderscheid, Director, Montana Afterschool Alliance (MTAA)

LEGISLATION: FAMILY PEER SUPPORT LICENSURE

Review Second Provisional Draft (CFHHS 1.2)

11:26:42 Milly Allen, Research Analyst, LSD
[EXHIBIT 10](#)
[EXHIBIT 11](#)
 11:27:23 Presiding Officer Dennis Lenz
 11:27:48 Sen. Daniel Emrich
 11:31:31 Rep. Jennifer Carlson
 11:32:26 Sen. Daniel Emrich
 11:35:04 Sen. Jen Gross
 11:37:49 Milly Allen
 11:38:30 Quinlan O'Connor, Chief Legal Counsel, Department of Labor and Industry (DLI)
 11:40:31 Vice Presiding Officer SJ Howell
 11:41:08 Quinlan O'Connor, DLI
 11:41:56 Presiding Officer Dennis Lenz

11:42:20 Quinlan O'Connor
11:44:14 Vice Presiding Officer SJ Howell
11:46:32 Sen. Chris Friedel
11:47:34 Sen. Daniel Emrich
11:49:23 Presiding Officer Dennis Lenz
11:49:46 Beth Ayers, Family Peer Support Lead, Montana's Peer Network (MPN)
[MCA 37-39-303](#)
11:57:43 Presiding Officer Dennis Lenz
11:58:39 Vice Presiding Officer SJ Howell
11:59:29 Rep. Jennifer Carlson
12:00:15 Milly Allen
(See Exhibit 10, Page 4)
12:00:42 Vice Presiding Officer SJ Howell
12:01:48 Quinlan O'Connor
12:02:50 Presiding Officer Dennis Lenz
12:03:15 Quinlan O'Connor
12:04:36 Sen. Jen Gross
[EXHIBIT 12](#)
12:05:31 Presiding Officer Dennis Lenz
12:06:18 Rep. Yakawich
12:07:33 Sen. Chris Friedel
12:07:46 Presiding Officer Dennis Lenz
12:08:12 Milly Allen
12:09:13 Rep. Jennifer Carlson
12:09:25 Quinlan O'Connor
12:12:11 Presiding Officer Dennis Lenz
12:12:24 Rep. Jennifer Carlson
12:13:00 Sen. Jen Gross
12:14:35 Sen. Daniel Emrich

Public Comment on this Provisional Draft Legislation

12:17:03 Jobyna McCarthy, Montana Family to Family

Committee Questions and Discussion

12:20:55 Presiding Officer Dennis Lenz
12:21:17 Rep. Jennifer Carlson
12:24:13 Quinlan O'Connor
12:25:06 Presiding Officer Dennis Lenz
12:25:20 Milly Allen
12:25:38 Rep. Jennifer Carlson

12:26:42 Presiding Officer Dennis Lenz
12:27:04 Sen. Daniel Emrich
12:27:57 Quinlan O'Connor

12:28:54 **Recessed**

13:31:15 **Reconvened**

LEGISLATION: FAMILY PEER SUPPORT LICENSURE continued

13:31:28 Milly Allen, LSD
[EXHIBIT 13](#) (CFHHS 1.3)

**LEGISLATION: SENIOR AND LONG-TERM CARE, "NO WRONG DOOR"
Review First Provisional Draft (CFHHS 2.1)**

13:32:53 Milly Allen, LSD
[EXHIBIT 14](#)
[EXHIBIT 15](#)

13:39:12 Rep. Mike Yakawich

Public Comment on this Provisional Draft Legislation

13:46:20 Jill Sark, Montana Health Care Association (MHCA)
[EXHIBIT 16](#)
[EXHIBIT 17](#)

13:53:13 Margaret MacDonald, Big Sky 55+

13:59:09 Rose Hughes, MHCA

13:59:40 Rose Hughes spoke on behalf of Mike Batista with the American Association of Retired Persons (AARP).

14:04:00 Stacy Anderson, Montana Primary Care Association and Rocky Boy Health Center

14:06:30 Travis Hoffman, Policy Director, Summit independent living, Missoula

14:09:11 Tyler Amundson, Executive Director, Big Sky Senior Services, Billings

Committee Questions and Discussion

14:11:27 Presiding Officer Dennis Lenz

14:13:04 Rose Hughes

14:17:36 Sen. Jen Gross

14:19:32 Travis Hoffman

14:21:03 Jill Sark

14:23:04 Vice Presiding Officer SJ Howell

14:25:16 Sen. Daniel Emrich

14:26:44 Milly Allen

14:28:53 Rep. Jennifer Carlson

**LEGISLATION: SENIOR AND LONG-TERM CARE, PRESUMPTIVE ELIGIBILITY
Review First Provisional Draft (CFHHS 3.1)**

14:31:06 Milly Allen, LSD

[EXHIBIT 18](#)

14:35:10 Rep. Mike Yakawich

Public Comment on this Provisional Draft Legislation

14:38:32 Jill Sark, MHCA

[EXHIBIT 19](#)

14:43:21 Margaret MacDonald, Big Sky 55+

14:45:41 Rose Hughes, MHCA

14:50:16 Stacy Anderson, Montana Primary Care Association and Rocky Boy Health Center

14:51:52 Tyler Amundson, Big Sky Senior Services

Committee Questions and Discussion

14:53:46 Rep. Jennifer Carlson

14:54:28 Jill Sark

14:56:31 Presiding Officer Dennis Lenz

14:57:43 Rep. Mike Yakawich

14:58:13 Vice Presiding Officer SJ Howell

14:59:26 Milly Allen

15:00:38 Sen. Daniel Emrich

15:03:02 Vice Presiding Officer SJ Howell

15:06:39 Presiding Officer Dennis Lenz

15:07:25 Rose Hughes

15:09:11 Rep. Jennifer Carlson

15:13:10 **Recessed**

15:39:38 **Reconvened**

**LEGISLATION: SENIOR AND LONG-TERM CARE, UNPAID CAREGIVER SUPPORTS
Review First Provisional Draft (CFHHS 4.1)**

15:39:59 Milly Allen, LSD

[EXHIBIT 20](#)

15:44:35 Rep. Mike Yakawich

Public Comment on this Provisional Draft Legislation

15:49:39 Rose Hughes, MHCA

15:52:35 Tyler Amundson, Big Sky Senior Services

Committee Questions and Discussion

15:55:01 Rep. Jennifer Carlson

15:55:25 Rose Hughes

15:55:34 Vice Presiding Officer Howell assumed the chair.
15:55:48 Jill Sark, MHCA
15:56:15 Rep. Jennifer Carlson
15:57:23 Jill Sark
15:57:52 Rep. Mike Yakawich
15:58:45 Rep. Jennifer Carlson
16:00:17 Vice Presiding Officer Howell
16:01:06 Presiding Officer Dennis Lenz resumed the chair.
16:01:36 Rep. Mike Yakawich
16:01:55 Vice Presiding Officer Howell
16:02:44 Rep. Jennifer Carlson
16:05:31 Sen. Daniel Emrich
16:07:22 Rep. Jennifer Carlson
16:08:09 Sen. Jen Gross
16:08:35 Sen. Daniel Emrich

16:09:53 **Recessed**
16:22:13 **Reconvened**

WORK SESSION

16:22:20 Presiding Officer Dennis Lenz
16:22:36 Rep. Mike Yakawich

Motion

16:23:41 Vice Presiding Officer Howell moved the committee do pass CFHHS 2.1.
16:24:04 Rep. Mike Yakawich moved to amend CFHHS 2.1.

Discussion on the motion

16:24:50 Vice Presiding Officer SJ Howell
16:25:22 Presiding Officer Dennis Lenz
16:26:18 Rep. Jennifer Carlson
16:29:10 **Vote:** Carried by voice vote, 5-3, with Sens. Friedel, Emrich, and Rep. Marshall voting 'no'.

Motion

16:29:09 Vice Presiding Officer Howell moved the committee do pass CFHHS 3.1.
16:29:16 Rep. Mike Yakawich moved to amend CFHHS 3.1.

Discussion on the motion

16:29:41 Sen. Jen Gross
(See Exhibit 19)
16:30:19 **Vote:** Carried by roll call vote, 5-3, with Sens. Friedel, Emrich, and Rep. Marshall voting 'no'.

Committee Questions and Discussion

16:31:33 Presiding Officer Dennis Lenz
16:32:29 Vice Presiding Officer SJ Howell
16:32:48 Presiding Officer Dennis Lenz
16:33:25 Maddie Krezowski
16:33:55 Vice Presiding Officer SJ Howell withdrew the motion.
16:34:10 Rep. Jennifer Carlson
16:34:29 Presiding Officer Dennis Lenz

Motion

16:36:16 Vice Presiding Officer Howell moved the committee do pass CFHHS 1.3.

Discussion on the Motion

16:36:26 Milly Allen
16:37:46 Maddie Krezowski
16:39:00 Sen. Daniel Emrich
16:40:18 Sen. Chris Friedel
16:41:20 Sen. Jen Gross
16:42:30 Sen. Gross moved to strike "other than a family peer support specialist" on line 27.
(See Exhibit 13, Page 3)
16:42:36 Presiding Officer Dennis Lenz
16:43:04 Sen. Jen Gross
16:43:38 Presiding Officer Dennis Lenz
16:43:56 Sen. Jen Gross
16:44:27 Sen. Daniel Emrich
16:46:07 Sen. Daniel Emrich moved to include Sen. Friedel's language.
16:46:43 Sen. Chris Friedel
16:47:10 Presiding Officer Dennis Lenz
16:47:22 Milly Allen
16:48:21 Presiding Officer Dennis Lenz
16:49:38 Sen. Chris Friedel
16:50:21 Sen. Daniel Emrich
16:51:17 Vice Presiding Officer SJ Howell
16:51:47 Presiding Officer Dennis Lenz
16:52:12 **Vote:** Carried unanimously by voice vote.

Committee Questions and Discussion

16:52:41 Milly Allen

PUBLIC COMMENT ON ANY TOPIC WITHIN THE SCOPE OF THE COMMITTEE NOT ON THIS AGENDA.

- 16:54:45 Kristin Page-Nei, American Cancer Society Cancer Action network (ACS CAN)
17:00:13 Maddie Krezowski, LSD
17:01:59 Rep. Jennifer Carlson proposed to publish the formal objection.
17:02:53 Presiding Officer Dennis Lenz

Motion

- 17:03:16 Rep. Jennifer Carlson moved the committee to publish the formal objection with the Secretary of State with the understanding of the requirements Miss Krezowski pointed out.

Discussion on the Motion

- 17:03:44 Maddie Krezowski
17:03:48 Milly Allen
17:04:12 Maddie Krezowski
17:04:38 Vice Presiding Officer SJ Howell
17:05:47 Rep. Mike Yakawich
17:06:55 Sen. Daniel Emrich
17:08:08 Sen. Jen Gross
17:09:41 Presiding Officer Dennis Lenz
17:11:44 **Vote:** Carried by roll call vote, 6 – 2, with Rep. Howell and Sen. Gross voting ‘no’.

Committee Questions and Discussion

- 17:12:45 Rep. Jennifer Carlson
17:14:57 Vice Presiding Officer SJ Howell
17:16:49 Presiding Officer Dennis Lenz
17:17:58 Rep. Jennifer Carlson
17:18:14 Maddie Krezowski
17:19:06 Presiding Officer Dennis Lenz
17:19:29 Maddie Krezowski
(See exhibit 8)
17:20:25 Presiding Officer Dennis Lenz
[EXHIBIT 21](#)

Motion

- 17:22:25 Rep. Jennifer Carlson moved to remove the informal objection on the foster care rules.
17:22:43 **Vote:** Carried by voice vote, 7 – 1, with Sen. Emrich voting ‘no’.

Committee Questions and Discussion

17:23:03 Rep. Daniel Emrich
17:24:02 Presiding Officer Dennis Lenz
17:24:28 Rep. Daniel Emrich
17:24:53 Rep. Jennifer Carlson
(See exhibit 8)
17:34:06 Presiding Officer Dennis Lenz
17:34:19 Maddie Krezowski
17:34:48 Sen. Daniel Emrich
17:35:16 Rep. Jennifer Carlson
17:38:05 Milly Allen
17:39:44 Rep. Mike Yakawich

ADJOURNMENT

Adjournment: 17:40:14