

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: By Chairman Ron Stoker, on February 5, 2007 at 3:00 P.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Ron Stoker, Chairman (R)
Rep. Arlene Becker, Vice Chairman (D)
Rep. Tom McGillvray, Vice Chairman (R)
Rep. Mary Caferro (D)
Rep. Ernie Dutton (R)
Rep. Julie French (D)
Rep. Pat Ingraham (R)
Rep. William J. Jones (R)
Rep. Krayton Kerns (R)
Rep. Dave McAlpin (D)
Rep. Ken Peterson (R)
Rep. Michele Reinhart (D)
Rep. Diane Sands (D)

Members Excused: None.

Members Absent: Rep. Mike Milburn (R)

Staff Present: Debbie Carlson, Committee Secretary
Sue O'Connell, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 359, 1/25/2007; HJR 18,
1/25/2007
Executive Action: HB 268, HB 414, HB 386, HB 157

HEARING ON HB 359

Opening Statement by Sponsor:

00:00:12 Rep. Ernie Dutton (R), HD 56, opened the hearing on HB 359, Individual medical lab test without physicians orders.

[EXHIBIT \(huh25a01\)](#)

[EXHIBIT \(huh25a02\)](#)

Proponents' Testimony:

00:11:03 Don Judge, Montana Nurses' Association

Opponents' Testimony:

00:14:37 Dr. Michael Brown, Pathologist, Billings, Montana

[EXHIBIT \(huh25a03\)](#)

00:23:00 Carrie Biskupiak, Clinical Laboratory Scientist, American Society for Clinical Laboratory Science - Montana (ASCLS)

[EXHIBIT \(huh25a04\)](#)

00:25:55 Craig Linke, Laboratory Director, St. Peter's Hospital

[EXHIBIT \(huh25a05\)](#)

00:31:22 Dr. Bruce Britton, Montana Society of Pathologist, Pathology Consultants of Western Montana.

[EXHIBIT \(huh25a06\)](#)

[EXHIBIT \(huh25a07\)](#)

00:35:32 Russell Morrison, Director, Laboratory Services, St. Vincent's Healthcare

[EXHIBIT \(huh25a08\)](#)

00:40:15 Beda Lovitt, Physician Members, Montana Medical Association

Informational Testimony:

00:42:30 Ann Weber, Bureau Chief, Laboratory Services Bureau, Department of Health and Human Services

Questions from Committee Members and Responses:

00:43:10 Rep. French

00:44:12 Ms. Biskupiak

00:44:21 Rep. French
00:44:42 Ms. Biskupiak
00:45:43 Rep. French
00:45:58 Ms. Biskupiak
00:47:00 Rep. French
00:47:35 Dr. Brown
00:52:49 Rep. Jones
00:53:47 Dr. Britton
00:56:12 Rep. Ingraham
00:57:18 Ms. Lovitt
00:58:02 Rep. Peterson
00:59:05 Dr. Brown

Closing by Sponsor:

01:03:25 Rep. Dutton

HEARING ON HJR 18

Opening Statement by Sponsor:

01:08:58 Rep. Jill Cohenour (D), HD 78, opened the hearing on HJR 18, Study chronic pulmonary obstructive disease and asthma.

Proponents' Testimony:

01:10:17 Dick Paulson, Executive Director, American Lung Association

[EXHIBIT \(huh25a09\)](#)

01:18:27 Becky Fleming

01:23:32 Dr. Richard Sargent, Physician, Helena, MT

[EXHIBIT \(huh25a10\)](#)

01:26:26 Dewey Hahlbohm, Physician's Assistant, Certified Asthma and Immunology Educator

01:32:44 Gary Wolf

01:34:44 Cliff Christian, American Heart Association

01:39:52 Mike Foster, representing Hospitals

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

01:41:00 Rep. Stoker

01:41:26 Dr. Sargent
01:43:32 Rep. Ingraham
01:44:18 Mr. Paulson
01:47:01 Rep. French
01:47:48 Rep. Cohenour
01:49:11 Rep. Stoker
01:49:42 Mary Dalton, Department of Health and Human Resources
01:50:14 Rep. McGillvray
01:51:01 Mr. Paulson
01:54:02 Rep. Stoker
01:54:19 Rep. Cohenour
01:54:32 Dr. Sargent
01:56:51 Rep. Stoker
01:57:12 Dr. Sargent

Closing by Sponsor:

01:59:21 Rep. Cohenour

EXECUTIVE ACTION ON HB 268

02:01:22 **Motion:** Rep. French moved that HB 268 **DO PASS**.

Discussion:

02:01:42 Rep. Kerns
02:02:11 Rep. French
02:02:46 Rep. Peterson
02:03:09 Rep. Jones

02:03:54 **Vote:** Motion failed 3-11 by roll call vote with Rep. Caferro and Rep. Jones voting aye. Rep. Sands voted aye by proxy. Without objection Rep. Becker requested to reverse the vote and **TO TABLE** HB 268.

EXECUTIVE ACTION ON HB 386

02:05:12 **Motion/Vote:** Rep. McGillvray moved **DO PASS** on HB 386.

02:05:26 Rep. Peterson

02:05:59 **Motion/Vote:** Rep. Dutton moved that HB 386 **BE TABLED**. Motion carried unanimously by voice vote. Rep. Sands and Milburn voted by proxy.

02:07:20 Rep. McGillvray

EXECUTIVE ACTION ON HB 414

02:08:13 **Motion:** Rep. Reinhart moved that HB 414 **DO PASS**.

Discussion:

02:08:30 Rep. Peterson
02:08:53 Rep. Jones
02:09:11 Rep. Reinhart
02:09:18 Rep. McGillvray
02:09:59 Rep. Stoker
02:10:09 Sue O'Connell

02:11:01 **Vote:** Motion carried unanimously by voice vote. Rep. Sands and Rep. Milburn voted aye by proxy.

EXECUTIVE ACTION ON HB 157

02:11:02 **Motion:** Rep. Caferro moved that HB 157 **DO PASS**.

02:11:51 **Motion:** Rep. Dutton moved that HB 157 **BE AMENDED**.
EXHIBIT (huh25a11)

Discussion:

02:12:52 Rep. Dutton
02:13:22 Rep. Caferro

02:14:40 **Vote:** Motion carried 13-1 by voice vote with Rep. Ingraham voting no and Rep. Milburn and Rep. Sands voting yes by proxy.

02:14:43 Rep. Becker
02:16:54 Rep. Stoker
02:17:03 Rep. Reinhart
02:18:21 Rep. Jones
02:18:53 Rep. Stoker
02:19:40 Rep. Jones
02:19:53 Chairman Stoker **indefinitely postponed** HB 157.
02:20:11 Rep. Becker

ADJOURNMENT

Adjournment: 5:30 P.M.

REP. RON STOKER, Chairman

DEBBIE CARLSON, Secretary

RS/dc

Additional Exhibits:

EXHIBIT ([huh25aad.pdf](#))