

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: Chairwoman Arlene Becker, on March 27, 2009 at
3:30 P.M., in Room 152 Capitol

ROLL CALL

Members Present:

Rep. Arlene Becker, Chairwoman (D)
Rep. Mary Caferro, Vice Chairwoman (D)
Rep. Pat Ingraham, Vice Chairwoman (R)
Rep. Bill Beck (R)
Rep. Julie French (D)
Rep. Timothy Furey (D)
Rep. David Howard (R)
Rep. Chuck Hunter (D)
Rep. Dave McAlpin (D)
Rep. Michael More (R)
Rep. Pat Noonan (D)
Rep. Ken Peterson (R)
Rep. Diane Sands (D)
Rep. Cary Smith (R)
Rep. Ron Stoker (R)
Rep. Jeffery Welborn (R)

Members Excused: None

Members Absent: None

Staff Present: Santella Baglivo, 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: SB 439, 3/2/2009; SB 446, 3/2/2009

Executive Action: SB 326, SB 330, SB 399, SB 442

HEARING ON SB 446

Opening Statement by Sponsor:

00:00:49 Sen. Bob Story (R), SD 30, opened the hearing on
SB 446, Revise specialty hospital law.

Proponents' Testimony:

00:05:42 Bob Olsen, Montana Hospital Association

[EXHIBIT\(huh68a01\)](#)

00:16:23 Jim Paquette, President, St. Vincent Health Care

00:22:09 Paul Cook, President, Rocky Mountain Health Network

[EXHIBIT\(huh68a02\)](#)

00:25:16 John Nordwick, President, Bozeman Deaconess Hospital

00:26:31 Jim Haley, Chief Medical Officer, St. Peter's Hospital

00:27:16 Aimee Grmoljez, Billings Clinic

00:29:04 Mary McCue, Montana Medical Association

00:29:47 Mona Jamison, Great Falls Clinic and Medical Center

00:31:19 John Flink, Montana Hospital Association

[EXHIBIT\(huh68a03\)](#)

Opponents' Testimony: None

Informational Testimony:

00:32:11 Roy Kemp, Deputy Administrator, Quality Assurance
Division, Department of Public Health and Human
Services (DPHHS)

Questions from Committee Members and Responses:

00:32:46 Rep. Stoker

00:33:22 Mr. Kemp

00:33:48 Rep. Stoker

00:34:02 Mr. Kemp

00:34:09 Rep. Stoker

00:34:15 Mr. Kemp

00:34:52 Rep. Beck

00:35:25 Mr. Olsen

00:37:10 Rep. Beck

00:37:43 Mr. Olsen

00:38:25 Rep. Beck

00:39:07 Mr. Olsen

00:40:21 Rep. Furey

00:41:01 Mr. Flink

00:41:10 Rep. Furey

00:41:17 Mr. Flink

00:41:40 Rep. Peterson
00:42:16 Mr. Paquette
00:43:44 Rep. Peterson
00:44:10 Mr. Paquette
00:44:39 Rep. Peterson
00:45:02 Mr. Paquette
00:45:12 Rep. Peterson
00:45:17 Mr. Olsen
00:46:00 Rep. Peterson
00:46:07 Mr. Olsen
00:46:43 Rep. Peterson
00:47:12 Mr. Olsen
00:47:52 Rep. McAlpin
00:48:03 Mr. Olsen
00:48:33 Rep. McAlpin
00:48:36 Rep. Sands
00:49:52 Mr. Olsen
00:51:11 Rep. Sands
00:51:28 Mr. Olsen
00:51:32 Rep. Sands
00:52:31 Mr. Olsen
00:53:29 Rep. Sands
00:54:03 Mr. Olsen
00:55:21 Rep. Sands
00:55:51 Mr. Olsen
00:57:03 Rep. Peterson
00:58:02 Mr. Olsen
00:59:29 Rep. Peterson
00:59:46 Mr. Olsen
01:00:28 Rep. Peterson
01:00:39 Mr. Olsen
01:01:41 Rep. Beck
01:02:40 Mr. Olsen

Closing by Sponsor:

01:03:30 Sen. Story

HEARING ON SB 439

Opening Statement by Sponsor:

01:03:51 Sen. Bob Story (R), SD 30, opened the hearing on
SB 439, Extend specialty hospital moratorium.

Proponents' Testimony:

01:04:32 Tom Ebzery, Attorney, Billings, Montana
01:05:08 Bob Olsen, Montana Hospital Association

01:05:41 Chairwoman Becker requested that the following
proponents be listed: Aimee Grmoljez, John Flink, Jim
Paquette, Paul Cook, John Nordwick, Jim Haley

Opponents' Testimony:

01:06:06 Mary McCue, Montana Medical Association
01:07:05 Mona Jamison, Great Falls Clinic and Medical Center

Informational Testimony: None

Questions from Committee Members and Responses:

01:08:20 Rep. Sands
01:08:55 Mr. Flink

Closing by Sponsor:

01:09:52 Sen. Story
01:12:26 Rep. Caferro
01:12:36 Rep. Stoker
01:12:46 Chairwoman Becker

01:12:55 Chairwoman Becker called a recess.
01:26:20 Chairwoman Becker resumed hearing.

EXECUTIVE ACTION ON SB 326

01:26:51 **Motion:** Rep. Caferro moved that **SB 326 BE CONCURRED
IN.**

01:27:15 **Motion:** Rep. French moved that **SB 326 BE AMENDED.**
EXHIBIT (huh68a04)

Discussion:

01:27:53 Ms. O'Connell, Legislative Services Division
01:29:05 Rep. French
01:29:13 Ms. O'Connell
01:29:23 Rep. Furey
01:29:40 Ms. O'Connell
01:30:02 Rep. Peterson
01:30:12 Rep. French
01:30:18 Rep. Stoker
01:31:00 Ms. O'Connell
01:31:25 Rep. Furey called the question.

01:31:36 **Vote:** Motion carried 14-2 by voice vote with Rep. Howard and Rep. Smith voting no. Rep. Howard voted by proxy.

01:31:56 **Motion:** Rep. Caferro moved that **SB 326 BE CONCURRED IN AS AMENDED.**

Discussion:

01:32:03 Rep. Peterson
 01:32:15 Ms. O'Connell
 01:32:27 Rep. McAlpin
 01:32:48 Rep. Ingraham
 01:34:09 Rep. French
 01:35:08 Rep. Peterson
 01:35:43 Rep. French
 01:35:48 Chairwoman Becker
 01:37:15 Rep. Stoker
 01:41:36 Rep. Sands
 01:42:20 Rep. Stoker
 01:44:28 Rep. Furey
 01:44:37 Ms. O'Connell
 01:45:00 Rep. Ingraham
 01:45:35 Rep. Stoker

01:45:58 **Vote:** Motion failed 8-8 by roll call vote with Rep. Becker, Rep. Caferro, Rep. French, Rep. Furey, Rep. Hunter, Rep. McAlpin, Rep. Noonan, and Rep. Sands voting aye. Rep. Howard voted by proxy.

EXECUTIVE ACTION ON SB 330

01:46:45 **Motion:** Rep. Caferro moved that **SB 330 BE CONCURRED IN.**

Discussion:

01:47:15 Ms. O'Connell

01:48:04 **Motion:** Rep. French moved that **SB 330 BE AMENDED.**
[**EXHIBIT**](#) (huh68a05)

Discussion:

01:48:35 Rep. Hunter
 01:48:36 Rep. Beck left.
 01:48:44 Chairwoman Becker

01:48:50 Rep. Caferro called the question.

01:48:56 **Vote:** Motion carried 15-1 by voice vote with Rep. Peterson voting no. Reps. Howard and Beck voted by proxy.

01:49:12 **Motion:** Rep. Caferro moved that **SB 330 BE CONCURRED IN AS AMENDED.**

Discussion:

01:49:25 Rep. Hunter
01:50:24 Rep. Smith
01:50:36 Rep. Peterson
01:51:02 Ms. O'Connell
01:51:08 Rep. French
01:51:22 Chairwoman Becker

01:51:43 **Motion:** Rep. Peterson moved that **SB 330 BE AMENDED CONCEPTUALLY.**

Discussion:

01:52:00 Rep. Caferro
01:52:14 Chairwoman Becker
01:52:24 Rep. Peterson
01:52:48 Chairwoman Becker
01:52:49 Rep. Sands
01:53:15 Rep. French
01:53:23 Rep. Peterson
01:53:30 Rep. Hunter
01:54:04 Rep. Welborn called the question.

01:54:07 **Vote:** Motion carried unanimously by voice vote. Reps. Howard and Beck voted by proxy.

01:54:29 **Motion:** Rep. Caferro moved that **SB 330 BE CONCURRED IN AS AMENDED.**

Discussion:

01:54:38 Rep. Ingraham
01:55:21 Rep. Caferro
01:55:33 Rep. Peterson
01:55:55 Rep. McAlpin called the question.

01:56:00 **Vote:** Motion carried 9-7 by roll call vote with Rep. Ingraham, Rep. More, Rep. Smith, Rep. Stoker, and Rep. Welborn voting no. Reps. Howard and Beck voted by proxy.

EXECUTIVE ACTION ON SB 399

01:56:57 **Motion:** Rep. Caferro moved that **SB 399 BE CONCURRED IN.**

Discussion:

01:57:23 Rep. Noonan

01:57:57 Chairwoman Becker

01:58:09 **Motion:** Rep. Noonan moved that **SB 399 BE AMENDED. [EXHIBIT \(huh68a06\)](#)**

01:59:03 Rep. Stoker called the question.

01:59:07 **Vote:** Motion carried unanimously by voice vote. Reps. Howard and Beck voted by proxy.

01:59:20 **Motion:** Rep. Caferro moved that **SB 399 BE CONCURRED IN AS AMENDED.**

Discussion:

01:59:35 Rep. Noonan

01:59:39 Rep. Ingraham

01:59:44 Rep. Noonan

02:00:34 Rep. Ingraham

02:01:07 Rep. Noonan

02:01:48 Chairwoman Becker

02:01:53 Rep. McAlpin called the question.

02:01:59 **Vote:** Motion carried 12-4 by voice vote with Rep. More, Rep. Peterson, Rep. Smith, and Rep. Beck voting no. Reps. Howard and Beck voted by proxy.

02:02:15 Rep. French left.

EXECUTIVE ACTION ON SB 442

02:02:38 **Motion:** Rep. Caferro moved that **SB 442 BE CONCURRED IN.**

02:02:58 **Motion:** Rep. Ingraham moved that **SB 442 BE AMENDED.**
EXHIBIT (huh68a07)

02:04:09 Rep. McAlpin called the question.

02:04:14 **Vote:** Motion carried 15-1 by voice vote with Rep. Beck voting no. Reps. French, Howard, and Beck voted by proxy.

02:04:35 **Motion:** Rep. Caferro moved that **SB 442 BE CONCURRED IN AS AMENDED.**

Discussion:

02:04:42 Rep. McAlpin
02:05:02 Chairwoman Becker
02:05:11 Rep. French enters.
02:05:18 Rep. Ingraham
02:06:15 Rep. Sands
02:06:36 Chairwoman Becker
02:06:50 Rep. Stoker
02:06:55 Rep. Smith
02:08:00 Rep. Peterson
02:08:41 Rep. Sands

02:08:47 **Motion:** Rep. Peterson moved that **SB 442 BE AMENDED CONCEPTUALLY.**

02:09:15 Chairwoman Becker
02:09:25 Rep. Sands
02:09:33 Chairwoman Becker
02:09:52 Rep. Stoker called the question.

02:09:57 **Vote:** Motion carried unanimously by voice vote.
Reps. Howard and Beck voted by proxy.

02:10:09 **Motion:** Rep. Caferro moved that **SB 442 BE CONCURRED IN AS AMENDED.**

02:10:18 Rep. Noonan called the question.

02:10:24 **Vote:** Motion carried 14-2 by voice vote with Rep. Smith and Rep. Beck voting no. Reps. Howard and Beck voted by proxy.

02:11:10 Reps. Furey, Hunter, and Smith left.

EXECUTIVE ACTION ON SB 51**Discussion:**

02:11:23 Ms. O'Connell
02:11:58 Rep. French
02:13:05 Rep. More
02:14:16 Rep. Stoker
02:14:36 Rep. French
02:15:03 Rep. Ingraham
02:15:14 Rep. French
02:15:18 Rep. Ingraham
02:15:57 Rep. French
02:17:55 Chairwoman Becker
02:18:25 Rep. French
02:19:26 Rep. More
02:20:19 Rep. Caferro
02:20:30 Chairman Becker
02:20:43 Rep. French
02:20:58 Chairman Becker
02:21:16 Ms. O'Connell
02:21:42 Chairwoman Becker

02:21:55 **Motion:** Rep. Caferro moved to **RECONSIDER THE AMENDMENT**
on **SB 51**.

02:22:26 Chairwoman Becker
02:22:43 Ms. O'Connell
02:22:53 Rep. Noonan called the question.

02:23:13 **Vote:** Motion carried unanimously by voice vote.
Reps. Smith, Beck, Howard, Furey, and Hunter voted by
proxy.

Discussion:

02:23:47 Rep. Stoker
02:23:57 Chairwoman Becker

02:24:01 **Motion:** Rep. Stoker moved to **REMOVE THE AMENDMENT**
on **SB 51**.

02:24:08 **Vote:** Motion carried unanimously by voice vote.
Reps. Smith, Beck, Howard, Furey and Hunter voted by
proxy.

02:24:40 **Motion:** Rep. McAlpin moved that **SB 51 BE CONCURRED IN**.

02:25:03 **Motion:** Rep. McAlpin moved that **SB 51 BE CONCURRED IN AS AMENDED.**

EXHIBIT(huh68a08)

02:25:20 Rep. Stoker called the question.

02:25:30 **Vote:** Motion carried 15-1 by voice vote with Rep. Caferro voting no. Reps. Smith, Beck, Howard, Furey, and Hunter voted by proxy.

02:26:06 Chairwoman Becker

02:26:10 **Motion:** Rep. Ingraham moved that **SB 51 BE CONCURRED IN AS AMENDED.**

Discussion:

02:26:32 Rep. French
02:28:16 Rep. Sands
02:28:56 Rep. Stoker
02:29:27 Rep. Ingraham
02:29:30 Rep. Noonan left.

02:31:24 **Substitute Motion:** Rep. Peterson moved that **SB 51 BE AMENDED CONCEPTUALLY.**

02:32:08 **Vote:** Motion carried unanimously by voice vote. Reps. Smith, Beck, Howard, Furey, Noonan, and Hunter voted by proxy.

Discussion:

02:32:09 Chairwoman Becker
02:32:26 Rep. French
02:32:48 Rep. Peterson
02:32:53 Rep. Sands
02:33:51 Rep. More
02:34:19 Rep. Caferro
02:34:27 Rep. Peterson

02:36:02 **Motion:** Rep. Stoker moved that **SB 51 BE CONCURRED IN AS AMENDED.**

02:37:25 **Vote:** Motion failed 6-10 by roll call vote with Rep. Furey, Rep. Howard, Rep. Hunter, Rep. McAlpin, Rep. More, and Rep. Welborn voting aye. Reps. Smith, Beck, Howard, Furey, Noonan, and Hunter voted by proxy.

02:37:31 **Motion/Vote:** Rep. Sands moved that **SB 51 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote. Reps. Smith, Beck, Howard, Furey, Noonan, and Hunter voted by proxy.

02:37:51 Chairwoman Becker

ADJOURNMENT

02:38:15 Adjournment: 6:08 P.M.

Santella Baglivo, Secretary

sb

Additional Documents:

EXHIBIT ([huh68aad.pdf](#))