

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

#### JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

**Call to Order:** Chair Don Roberts, on February 17, 2011 at 8:00 AM, in Room 102  
Capitol

#### ROLL CALL

**Members Present:**

Rep. Don Roberts, Chair (R)  
Sen. Dave Lewis, Vice Chair (R)  
Rep. Tony Belcourt (D)  
Rep. Tom Burnett (R)  
Sen. Mary Caferro (D)  
Rep. John Esp (R)  
Sen. Jason Priest (R)  
Rep. Trudi Schmidt (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Marilyn Daumiller, Legislative Branch  
Miranda Keaster, Committee Secretary  
Lois Steinbeck, Legislative Branch  
Kris Wilkinson, 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:**

Executive Action Wrap Up

00:00:06 Chairman Roberts  
00:00:56 Kris Wilkinson, Legislative Fiscal Division (LFD)

[EXHIBIT\(jhh39a01\)](#)

[EXHIBIT\(jhh39a02\)](#)

[EXHIBIT\(jhh39a03\)](#)

00:03:39 Chairman Roberts  
00:03:54 Rep. Schmidt  
00:04:06 Kris Wilkinson  
00:04:22 Rep. Schmidt  
00:04:35 Chairman Roberts  
00:05:05 Sen. Lewis  
00:05:32 Kris Wilkinson

**Executive Action**

**NP 11119**

00:06:04 **Motion:** Rep. Roberts moved that **NP 11119 BE ADOPTED.**

**Discussion:**

00:06:42 Mary Dalton, Department of Public Health and Human Services (DPHHS)

00:07:35 **Vote:** Motion carried unanimously by voice vote.

00:07:47 **Motion:** Rep. Esp moved that **APPROPRIATE \$5,089,451 IN FY 2012 AND \$4,815,718 IN FY 2013 FROM THE TOBACCO SETTLEMENT FUNDS APPROPRIATED FOR THE HEALTHY MONTANA KIDS PROGRAM FOR STATE MEDICAID MATCHING FUNDS FOR MEDICAID STATE PLAN SERVICES COMPONENT THAT PROVIDES SERVICES TO CHILDREN IN FAMILIES WITH INCOMES UP TO 100% OF THE FEDERAL POVERTY LEVEL AND THAT THE GENERAL FUND FOR STATE MEDICAID MATCHING FUNDS APPROPRIATED FOR THIS PURPOSE BE REDUCED BY A LIKE AMOUNT EACH YEAR OF THE 2013 BIENNIUM BE ADOPTED.**

[EXHIBIT\(jhh39a04\)](#)

**Discussion:**

00:09:33 Kris Wilkinson, LFD  
00:11:36 Rep. Schmidt  
00:11:43 Mary Dalton, DPHHS  
00:12:07 Sen. Caferro  
00:12:52 Rep. Esp  
00:12:56 Kris Wilkinson  
00:13:31 Sen. Caferro  
00:14:01 Rep. Esp  
00:14:36 Sen. Caferro

00:15:00 **Vote:** Motion carried 5-3 by voice vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting no.

00:15:19 **Motion:** Rep. Esp moved that **\$5 MILLION IN FY 2012 AND \$4.8 MILLION IN FY 2013 BE PLACED IN A LINE ITEM TO FUND CASELOAD ADJUSTMENTS IN MEDICAID IN HB 2 BE ADOPTED.**

**Discussion:**

00:16:14 Kris Wilkinson, LFD  
00:16:33 Rep. Esp  
00:17:53 Sen. Caferro  
00:16:45 Sen. Lewis  
00:18:29 Sen. Caferro  
00:18:34 Kris Wilkinson  
00:19:28 Rep. Esp  
00:19:32 Sen. Caferro  
00:20:16 Rep. Schmidt  
00:20:36 Laurie Lambson, DPHHS  
00:20:59 Mary Dalton, DPHHS  
00:22:45 Kris Wilkinson  
00:23:30 Mary Dalton  
00:24:37 Rep. Schmidt  
00:24:57 Rep. Esp

00:25:50 **Vote:** Motion carried 6-2 by roll call vote with Rep. Belcourt and Rep. Schmidt voting no.

00:26:02 Rep. Esp  
00:26:48 Kris Wilkinson  
00:28:02 Pat Sullivan, Governor's Budget Office

00:28:54 **Motion:** Rep. Esp moved that **RESTORATION OF 5% PEDIATRIC MENTAL HEALTH ADJUSTMENT INCLUDED IN THE HEALTH RESOURCE DIVISION BE ADOPTED.**

**Discussion:**

00:29:18 Kris Wilkinson, LFD  
00:30:44 Rep. Schmidt  
00:31:11 Mary Dalton, DPHHS  
00:31:53 Kris Wilkinson

00:32:17 **Vote:** Motion carried unanimously by voice vote.

00:32:28 **Motion:** Rep. Roberts moved that **RESTORATION OF GENETICS NEWBORN SCREENING COMPONENT BE ADOPTED.**

**Discussion:**

00:33:46 Kris Wilkinson, LFD

00:34:29 **Vote:** Motion carried unanimously by voice vote.

00:34:37 **Motion:** Rep. Roberts moved that **ADJUST LINE ITEM TO FUND CASELOAD ADJUSTMENTS IN MEDICAID IN HB 2 AT \$50,000 PER YEAR FOR TRAUMATIC BRAIN INJURY AND \$50,000 FOR BIG BROTHERS BIG SISTERS BE ADOPTED.**

**Discussion:**

00:35:23 Kris Wilkinson, LFD

00:36:54 **Substitute Motion:** Rep. Esp made a substitute motion that **\$50,000 PER YEAR FOR TRAUMATIC BRAIN INJURY AND \$50,000 PER YEAR FOR BIG BROTHERS AND BIG SISTERS BE FUNDED OUT OF GENERAL FUND BE ADOPTED.**

**Discussion:**

00:37:35 Rep. Schmidt

00:37:48 Kris Wilkinson, LFD

00:38:17 Chairman Roberts

00:38:25 Rep. Schmidt

00:38:49 Marilyn Daumiller, LFD

00:39:09 Mary Dalton, DPHHS

00:39:31 Sen. Caferro

00:39:41 Rep. Esp

00:40:04 **Vote:** Motion carried 5-3 by roll call vote with Rep. Belcourt, Rep. Burnett and Rep. Esp voting no.

00:41:11 Sen. Lewis

00:41:43 Chairman Roberts

00:41:48 **Motion:** Sen. Lewis moved that **FUNDS IN DOWNSIZE MONTANA VETERAN'S HOME MAY BE USED ONLY TO PAY FOR NURSING HOME SERVICES PROVIDED BY A PRIVATE CONTRACTOR AT THE MONTANA VETERAN'S HOME BE ADOPTED.**

**EXHIBIT(jhh39a05)**

**Discussion:**

00:42:42 Kris Wilkinson, LFD

00:44:29 Sen. Lewis

00:44:35 Kris Wilkinson

00:45:17 Sen. Lewis withdrew motion.

**Discussion:**

00:46:04 Mary Dalton, DPHHS

00:46:46 Kris Wilkinson, LFD

00:47:58 Rep. Schmidt

00:48:06 Mary Dalton

00:49:08 Kris Wilkinson

00:49:46 Mary Dalton

00:50:07 Sen. Lewis

00:52:00 Laurie Lambson, DPHHS

00:52:21 Sen. Lewis

00:53:28 Sen. Caferro

00:54:01 Chairman Roberts

00:54:12 Rep. Schmidt

00:54:32 Sen. Lewis

00:54:54 Rep. Schmidt

00:55:14 Recess

01:58:05 Reconvene

01:58:14 Chairman Roberts

01:58:34 **Motion:** Sen. Lewis moved that **IN FY 2012 FUNDING FROM THE CIGARETTE TAX REQUESTED BY THE EXECUTIVE FOR MVH BE REDUCED BY \$847,545, THE COSTS OF OPERATING THE FACILITY AT THE AVERAGE OF FACILITIES WITH A 4 OR 5 STAR QUALITY RATING DETERMINED BY CMS OFFSET BY THE RECOGNITION OF HIGHER COSTS ASSOCIATED WITH PENSION AND HEALTH INSURANCE OF \$1,420,455 AND IN FY 2013 FUNDING FOR THE CIGARETTE TAX APPROPRIATED TO THE MVH FROM THE CIGARETTE TAX IS REDUCED BY \$2,268,000. FURTHER MOVE THAT A RESTRICTED BIENNIAL APPROPRIATION OF \$1,382,801 OF CIGARETTE TAX FUNDS MAY ONLY BE USED TO PAY REDUCTION IN FORCE COSTS ASSOCIATED WITH HAVING NURSING HOME SERVICES PROVIDED BY A PRIVATE CONTRACTOR AT THE MONTANA VETERAN'S HOME AND IS CONTINGENT ON THE DEPARTMENT RECEIVING A SUCCESSFUL BIDDER FOR THE OPERATION OF THE FACILITY IN FY 2013 BE ADOPTED.**

**EXHIBIT(jhh39a06)**

**Discussion:**

01:59:47 Kris Wilkinson, LFD

02:01:11 Rep. Schmidt

02:01:43 Kelly Williams, DPHHS

02:02:21 Rep. Schmidt

02:03:05 Kelly Williams

02:05:04 Sen. Lewis

02:05:40 Sen. Caferro

02:05:52 Kelly Williams  
02:07:29 Sen. Caferro  
02:07:45 Kelly Williams  
02:09:01 Sen. Caferro  
02:09:14 Kelly Williams  
02:09:34 Chairman Roberts  
02:09:39 Sen. Lewis

02:10:20 **Vote:** Motion carried 5-3 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting no. Sen. Priest voted by proxy.

02:10:55 Kris Wilkinson

**PL22114, PL22115, PL22116**

02:12:06 **Motion/Vote:** Rep. Esp moved that **PL22114, PL22115, PL22116 BE ADOPTED.** Motion carried unanimously by voice vote.

02:13:13 **Motion:** Sen. Caferro moved that **FUNDING FOR 100 SLOTS FOR HOME AND COMMUNITY BASED SERVICES WITH HEALTH AND MEDICAID INITIATIVES AND STATE REVENUE AND 80 SLOTS FROM HEALTH AND MEDICAID INITIATIVES BE ADOPTED.**

**EXHIBIT(jhh39a07)**

**Discussion:**

02:15:04 Lois Steinbeck, LFD  
**EXHIBIT(jhh39a08)**  
02:15:45 Rep. Schmidt  
02:15:49 Lois Steinbeck  
02:18:07 Rep. Schmidt  
02:18:27 Sen. Caferro  
02:18:47 Kelly Williams, DPHHS  
02:19:05 Rep. Esp  
02:19:47 Pat Sullivan, Governor's Budget Office  
02:21:16 Rep. Esp  
02:21:23 Pat Sullivan  
02:21:27 Sen. Caferro

02:23:17 **Vote:** Motion carried 7-1 by roll call vote with Rep. Esp voting no.

02:23:20 Kris Wilkinson, LFD  
02:24:17 Sen. Lewis  
02:24:25 Kris Wilkinson  
02:25:06 Rep. Esp  
02:25:36 Pat Sullivan  
02:25:45 Chairman Roberts

**ADJOURNMENT**

Adjournment: 02:25:55

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Miranda Keaster, Secretary

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Additional Documents:

**EXHIBIT([jhh39aad.pdf](#))**