

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: Chair Art Wittich, on January 30, 2015 at 3:00 PM, in Room 152 Capitol

ROLL CALL

Members Present:

Rep. Art Wittich, Chair (R)
Rep. Kirk Wagoner, Vice Chair (R)
Rep. Seth Berglee (R)
Rep. Jennifer Eck (D)
Rep. Bill Harris (R)
Rep. Denise Hayman (D)
Rep. Stephanie Hess (R)
Rep. Tom Jacobson (D)
Rep. Jessica Karjala (D)
Rep. Forrest Mandeville (R)
Rep. Albert Olszewski (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Gordon Pierson Jr (D)
Rep. Alan Redfield (R)
Rep. Vince Ricci (R)

Members Excused: Rep. Ellie Boldman Hill, Vice Chair (D)
Rep. Alan Doane (R)

Members Absent: None

Staff Present: Sue O'Connell, Legislative Branch
Phoebe Williams, Committee Secretary

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 73, 1/21/2015; HB 271, 1/21/2015; SB 5, 1/21/2015
Executive Action: HB 200, HB 256, HB 238

00:00:56 Chairman Wittich

HEARING ON SB 5

Opening Statement by Sponsor:

00:02:05 Sen. Jonathan Windy Boy (D), SD 16, opened the hearing on SB 5, Establish all-hazard incident management teams and provide funding authority.

Proponents' Testimony:

00:04:05 Bob Gilbert, Montana Tow Truck Association

00:05:40 Sheryl Wood, Montana Association of Counties (MACo)

00:06:57 Patrick Lonergan, Bozeman Fire Department, Montana Fire Chiefs Association

00:10:21 Shane Morigeau, Confederate Coalition of Salish and Kootenai Tribes

EXHIBIT(huh21a01)

00:12:06 Rich Cowger, Montana State Chief Firemen's Association (MSFCA)

00:14:05 Dave Nielsen, Montana League of Cities and Towns

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:14:57 Sen. Windy Boy

HEARING ON HB 271

Opening Statement by Sponsor:

00:16:25 Rep. Albert Olszewski (R), HD 11, opened the hearing on HB 271, Revise laws regarding physician dispensing of prescription medication.

EXHIBIT(huh21a02)

Proponents' Testimony:

00:17:40 Lonnie Olson, Montana Trial Lawyers

00:20:48 Robin Haux, Montana Nurses Association

EXHIBIT(huh21a03)

00:22:51 Dr. Bill Gallea, Montana Medical Association

00:24:52 Aimee Grmoljez, Billings Clinic

00:26:10 Jean Branscum, Montana Medical Association, Montana Academy of Dermatology, Montana Academy of Family Physicians and Montana Chapter of American Academy of Pediatrics

Opponents' Testimony:

00:27:54 Starla Blank, Board of Pharmacy

00:32:25 Tobey Schule, Montana Pharmacy Association

00:34:55 Brian Heeney, St. Peters Pharmacy

00:37:59 Tony King, Montana Pharmacy Association

00:42:21 Chad Smith, Pharmacy Association
 00:44:43 Steve Turkiewicz, Montana Bankers Association
 00:47:57 Roberts Sikes, Pharmacy Student

EXHIBIT(huh21a04)

00:50:01 Briana Cosca, University of Montana, Academy of Student Pharmacists
 00:51:01 Rep. Nick Schwaderer, HD 14, Superior
 00:55:30 Mark Long, Montana Narcotics Officers Association
 00:58:49 Larry Epstein, Montana Law Enforcement Association
 00:59:43 Bob Worthington, Montana Self Insurers Association (MSIA)
 01:02:59 Jaqueline Lenmark, American Insurance Association, PCIAA
 01:08:05 Kevin Bruan, Montana State Fund

EXHIBIT(huh21a05)

01:08:51 Sheryl Wood, Montana Association of Counties (MACo)
 01:10:28 Allan Hulse, (MMIA)

Informational Testimony: None

Questions from Committee Members and Responses:

01:11:42 Rep. Mandeville
 01:12:17 Rep. Olszewski
 01:13:13 Rep. Ricci
 01:13:58 Rep. Olszewski
 01:14:19 Chairman Wittich
 01:14:46 Chad Smith, Montana Pharmacy Association
 01:15:38 Chairman Wittich
 01:15:51 Jacqueline Lenmark PCIAA
 01:16:13 Rep. Wagoner
 01:17:09 Dr. Gallea, Montana Medical Association
 01:19:03 Rep. Wagoner
 01:19:44 Starla Blank, Board of Pharmacy
 01:20:07 Rep. Hayman
 01:20:44 Brian Heeney, St. Peters Pharmacy
 01:22:12 Rep. Karjala
 01:23:06 Brian Heeney, St. Peters Pharmacy
 01:25:56 Rep. Karjala
 01:26:14 Brian Heeney, St. Peters Pharmacy
 01:26:42 Rep. Harris
 01:27:24 Dr. Bill Gallea, Montana Medical Association
 01:27:28 Rep. Harris
 01:27:52 Dr. Bill Gallea, Montana Medical Association
 01:27:55 Rep. Harris
 01:28:56 Dr. Bill Gallea, Montana Medical Association
 01:29:06 Rep. Pease Lopez
 01:30:21 Starla Blank, Board of Pharmacy
 01:30:57 Rep. Pease Lopez
 01:31:32 Rep. Olszewski
 01:32:13 Rep. Eck
 01:32:40 Rep. Olszewski

01:32:53 Rep. Eck
01:33:30 Mark Long, Montana Narcotics Officers Association
01:34:58 Chairman Wittich
01:36:07 Rep. Olszewski

Closing by Sponsor:

01:36:47 Rep. Olszewski

HEARING ON HB 73

Opening Statement by Sponsor:

01:42:55 Rep. Casey Schreiner (D), HD 25, opened the hearing on HB 73, Revise requirements related to release of patient immunization information.

Proponents' Testimony:

01:46:58 Jim Murphy, Department of Public Health and Human Services (DPHHS)
01:50:45 Aimee Grmoljez, Billings Clinic

EXHIBIT(huh21a06)

01:52:25 Dr. Tom Roberts, Montana Medical Association, Missoula City County Health Department
01:54:09 Dr. William Snider ,Self and Academy of Family Physicians
01:57:50 Dr. James Feist, Montana American Academy of Pediatrics (AAP)
02:00:52 Joe Russell, Flathead City County Health Department

EXHIBIT(huh21a07)

02:04:25 Wanda White, Montana Public Health Association
02:06:09 Erin McGowan, Montana Public Health Association

Opponents' Testimony: None

Informational Testimony:

02:07:17 Sarah Carlson, Legislative Audit Division (LAD)

EXHIBIT(huh21a08)

EXHIBIT(huh21a09)

Questions from Committee Members and Responses:

02:09:35 Rep. Ricci
02:09:54 Joe Russell, Flathead City County Health Department
02:10:45 Rep. Karjala
02:11:27 Joe Russell, Flathead City County Health Department
02:12:23 Rep. Karjala
02:13:11 Joe Russell, Flathead City County Health Department
02:14:22 Rep. Karjala
02:15:25 Rep. Schreiner
02:16:59 Rep. Harris
02:17:34 Joe Russell, Flathead City County Health Department
02:18:00 Rep. Harris
02:18:08 Joe Russell, Flathead City County Health Department
02:19:40 Rep. Harris

02:19:58 Joe Russell, Flathead City County Health Department
 02:20:20 Rep. Berglee
 02:20:58 Rep. Schreiner
 02:22:10 Rep. Berglee
 02:22:30 Rep. Schreiner
 02:23:18 Rep. Berglee
 02:23:49 Rep. Schreiner
 02:25:03 Rep. Jacobson
 02:25:38 Rep. Schreiner
 02:26:01 Dr. James Feist, AAP
 02:27:17 Rep. Jacobson
 02:28:16 Joe Russell, Flathead City County Health Department
 02:28:37 Chairman Wittich
 02:29:05 Dr. William Snider, Academy of Family Physicians
 02:29:36 Chairman Wittich
 02:29:49 Dr. William Snider, Academy of Family Physicians
 02:30:05 Chairman Wittich
 02:31:40 Jim Murphy DPHHS
 02:32:37 Chairman Wittich
 02:33:34 Jim Murphy DPHHS

EXHIBIT(huh21a10)**Closing by Sponsor:**

02:33:47 Rep. Schreiner
 02:36:38 Chairman Wittich
 02:36:39 Rep. Hill joined the meeting

EXECUTIVE ACTION ON HB 256

02:38:10 **Motion:** Rep. Wagoner moved that **HB 256 DO PASS.**

02:38:57 **Motion/Vote:** Rep. Wagoner moved that **HB 256 BE AMENDED.** Motion carried unanimously by voice vote.

EXHIBIT(huh21a11)

02:39:34 **Motion:** Rep. Wagoner moved that **HB 256 DO PASS AS AMENDED.**

Discussion:

02:39:52 Rep. Jacobson
 02:40:46 Rep. Olszewski
 02:41:24 Chairman Wittich

02:41:46 **Vote:** Motion carried 10-7 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Hill, Rep. Jacobson, Rep. Karjala, Rep. Pease-Lopez and Rep. Pierson voting no. Rep. Doane and Rep. Pierson voted by proxy.

EXECUTIVE ACTION ON HB 238

02:43:16 **Motion:** Rep. Wagoner moved that **HB 238 DO PASS.**

Discussion:

- 02:43:41 Rep. Olszewski
- 02:44:34 **Vote:** Motion failed 8-9 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Hill, Rep. Jacobson, Rep. Karjala, Rep. Olszewski, Rep. Pease-Lopez and Rep. Pierson voting aye. Rep. Doane and Rep. Pierson voted by proxy.
- 02:45:54 **Motion/Vote:** Rep. Wagoner moved that **HB 238 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 200

- 02:46:25 **Motion:** Rep. Wagoner moved that **HB 200 DO PASS**.
- 02:47:12 **Motion:** Rep. Wagoner moved that **HB 200 BE AMENDED**.
[EXHIBIT\(huh21a12\)](#)

Discussion:

- 02:48:44 Chairman Wittich
- 02:48:46 Sue O'Connell, Legislative Services Divison
- 02:48:55 Rep. Eck
- 02:49:10 Rep. Jacobson
- 02:49:34 Chairman Wittich
- 02:50:20 Rep. Olszewski
- 02:51:05 **Vote:** Motion failed 8-9 by roll call vote with Rep. Berglee, Rep. Doane, Rep. Harris, Rep. Hess, Rep. Mandeville, Rep. Redfield, Rep. Ricci and Rep. Wagoner voting aye. Rep. Pierson and Rep. Doane voted by proxy.
- 02:52:40 Chairman Wittich
- 02:53:31 **Motion:** Rep. Wagoner moved that **HB 200 BE AMENDED**.

Discussion:

- 02:53:56 Rep. Wittich
- 02:54:08 Rep. Mandeville
- 02:54:19 Sue O'Connell
- 02:54:25 **Vote:** Motion carried unanimously by voice vote. Rep. Doane and Rep. Pierson voted by proxy.
- 02:54:42 **Motion:** Rep. Wagoner moved that **HB 200 DO PASS AS AMENDED**.

Discussion:

- 02:54:56 Rep. Hill
- 02:56:55 Rep. Olszewski
- 02:58:14 Rep. Eck
- 02:58:59 Rep. Wittich
- 02:59:05 Rep. Jacobson

03:03:36 Rep. Eck
03:04:10 Rep. Wagoner
03:04:57 Rep. Karjala
03:06:31 Rep. Ricci
03:07:36 Rep. Eck
03:07:48 Rep. Jacobson
03:07:55 Rep. Ricci
03:08:04 Rep. Berglee
03:08:36 Rep. Olszewski
03:09:32 Rep. Hill
03:10:44 Chairman Wittich

03:10:52 **Vote:** Motion carried 9-8 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Hess, Rep. Hill, Rep. Jacobson, Rep. Karjala, Rep. Pease-Lopez and Rep. Pierson voting no. Rep. Doane and Rep. Pierson voted by proxy.

03:12:23 Chairman Wittich

ADJOURNMENT

Adjournment: 03:12:30

Phoebe Williams, Secretary

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Additional Documents:

EXHIBIT([huh21aad.pdf](#))