

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON HUMAN SERVICES

**Call to Order:** Chair Art Wittich, on April 20, 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. Alan Doane (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)

**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: HJ 31, 4/15/2015; SJ 207, 4/15/2015  
Executive Action: HJ 29; SB 211; SB 233; SB 316; SJ 22

**EXECUTIVE ACTION ON HJ 29**

00:00:09 **Motion/Vote:** Rep. Wagoner moved that **HJ 29 DO PASS**. Motion carried unanimously by voice vote. Rep. Hill voted by proxy.

**EXECUTIVE ACTION ON SB 211**

00:00:54 **Motion:** Rep. Wagoner moved that **SB 211 BE CONCURRED IN**.

**Discussion:**

00:01:09 Chairman Wittich

00:01:14 Rep. Redfield

00:01:22 **Vote:** Motion carried unanimously by voice vote. Rep. Hill voted by proxy. Rep. Redfield will carry the bill.

00:01:46 Rep. Hill Joined the meeting

**EXECUTIVE ACTION ON SB 233**

00:01:52 **Motion/Vote:** Rep. Wagoner moved that **SB 233 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Wittich will carry the bill.

**EXECUTIVE ACTION ON SB 316**

00:02:56 **Motion:** Rep. Wagoner moved that **SB 316 BE CONCURRED IN**.

00:03:10 **Motion:** Rep. Wagoner moved that **SB 316 BE AMENDED**.

[EXHIBIT\(huh80a01\)](#)

**Discussion:**

00:03:31 Chairman Wittich

00:03:45 Sue O'Connell LSD

00:05:48 Rep. Harris

00:06:34 Rep. Hill

00:07:00 Rep. Harris

00:07:24 Chairman Wittich

00:07:38 Sue O'Connell, LSD

00:07:48 Chairman Wittich

00:08:03 Rep. Harris

00:08:20 Chairman Wittich

00:08:37 Rep. Karjala

00:09:02 Sue O'Connell, LSD

00:09:23 Chairman Wittich

00:09:44 **Vote:** Motion carried unanimously by voice vote.

00:09:54 **Motion/Vote:** Rep. Wagoner moved that **SB 316 BE CONCURRED IN AS AMENDED**. Motion carried 15-2 by roll call vote with Rep. Jacobson and Rep. Wittich voting no. Rep. Harris will carry the bill.

### EXECUTIVE ACTION ON SJ 22

00:11:17 **Motion/Vote:** Rep. Wagoner moved that **SJ 22 BE CONCURRED IN**. Motion carried 16-1 by voice vote with Rep. Doane voting no. Rep. Hess will carry the bill.

### HEARING ON HJ 31

#### Opening Statement by Sponsor:

00:12:33 Rep. Zach Brown (D), HD 63, opened the hearing on HJ 31, Study workers' compensation fraud.

[EXHIBIT\(huh80a02\)](#)

#### Proponents' Testimony:

00:15:36 Dustin Stewart, Montana Building Industry Association

00:16:52 Chris Cavazos, Montana AFLCIO  
00:17:38 Glen Oppel, Montana Chamber of Commerce  
00:17:57 Ethan Heverly, Montana State Fund  
00:18:49 Harold Blattie, Montana Association of Counties (MACo)  
00:20:44 Jean Branscum, Montana Medical Association (MMA)  
00:21:30 Lonnie Olson, MT Trial Lawyers Association (MTLA)  
00:22:02 Mona Jamison, Montana Physical Therapy Association

Opponents' Testimony: None

#### Informational Testimony:

00:23:02 Diana Ferriter, Department of Labor and Industry

#### Questions from Committee Members and Responses:

00:23:54 Chairman Wittich  
00:24:28 Ethan Heverly, Montana State Fund  
00:25:29 Chairman Wittich  
00:25:59 Rep. Brown  
00:30:28 Chairman Wittich  
00:31:10 Mona Jamison, Montana Physical Therapy Association

#### Closing by Sponsor:

00:32:44 Rep. Brown

### HEARING ON SB 207

#### Opening Statement by Sponsor:

00:35:14 Sen. Bruce Tutvedt (R), SD 3, opened the hearing on SB 207, Revise laws related to defensive medicine.

**Proponents' Testimony:**

00:38:27 Kiely Keane, Montana Medical Association (MMA)  
 00:44:05 Jonathan Griffin, Self  
 00:48:42 Greg Drapes, Monida Health Care Network

**EXHIBIT(huh80a03)**

00:52:00 Mike Foster Montana's Catholic Hospitals  
 00:52:54 Dr. Bill Gallea, Montana Medical Association (MMA)  
 00:56:25 Aimee Grmoljez, Billings Clinic  
 00:59:12 Bill Warden, St Peters Hospital, Benefis, Bozeman Deaconess Hospital  
 00:59:30 Mona Jamison, The Doctors Company  
 01:02:24 Jessie Luther, Montana Health Care Provider Association (MHA)  
 01:03:26 Glenn Oppel, Montana Chamber of Commerce  
 01:04:40 Jean Branscum, Montana Medical Association (MMA)

**EXHIBIT(huh80a04)****Opponents' Testimony:**

01:05:58 Al Smith, Montana Trial Lawyers

**EXHIBIT(huh80a05)**

01:23:22 Tabitha Weiner, Self

**Informational Testimony:** None**Questions from Committee Members and Responses:**

01:24:58 Rep. Pierson  
 01:25:20 Dr. Bill Gallea, MMA  
 01:25:57 Rep. Pierson  
 01:26:04 Dr. Bill Gallea, MMA  
 01:26:21 Rep. Pierson  
 01:26:28 Dr. Bill Gallea, MMA  
 01:26:49 Rep. Pierson  
 01:27:04 Dr. Bill Gallea MMA  
 01:27:08 Rep. Pierson  
 01:27:17 Dr. Bill Gallea, MMA  
 01:27:30 Rep. Mandeville  
 01:28:07 Dr. Bill Gallea, MMA  
 01:28:10 Rep. Mandeville  
 01:28:56 Dr. Bill Gallea, MMA  
 01:29:11 Rep. Hayman  
 01:29:28 Kiely Keane, MMA  
 01:31:06 Rep. Hayman  
 01:31:36 Kiely Keane, MMA  
 01:32:29 Rep. Hayman  
 01:33:16 Kiely Keane, MMA  
 01:34:12 Rep. Pease-Lopez  
 01:35:23 Al Smith, MT Trial Lawyers  
 01:36:23 Rep. Pease-Lopez  
 01:37:38 Al Smith, MT Trial Lawyers  
 01:38:52 Rep. Karjala

01:40:06 Al Smith, MT Trial Lawyers  
01:41:37 Rep. Eck  
01:42:20 Al Smith, MT Trial Lawyers  
01:42:40 Rep. Eck  
01:43:02 Dr. Bill Gallea, MMA  
01:44:06 Rep. Eck  
01:45:09 Dr. Bill Gallea, MMA  
01:46:14 Rep. Eck  
01:47:03 Dr. Bill Gallea, MMA  
01:47:59 Rep. Eck  
01:48:12 Sue O'Connell, LSD  
01:48:21 Rep. Redfield  
01:48:57 Dr. Bill Gallea, MMA  
01:49:00 Rep. Redfield  
01:49:10 Dr. Bill Gallea, MMA  
01:49:13 Rep. Redfield  
01:49:23 Dr. Bill Gallea, MMA  
01:49:30 Rep. Pease-Lopez  
01:49:55 Sen. Tutvedt  
01:50:23 Rep. Pease-Lopez  
01:51:05 Sen. Tutvedt  
01:51:55 Rep. Wagoner  
01:52:06 Sen. Tutvedt

**Closing by Sponsor:**

01:52:46 Sen. Tutvedt

**ADJOURNMENT**

Adjournment: 01:55:03

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Phoebe Williams, Secretary

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Additional Documents:

**EXHIBIT([huh80aad.pdf](#))**