

## MINUTES

### MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY

**Call to Order:** Chair Fred Thomas, on March 13, 2015 at 3:00 PM, in Room 317 Capitol

#### ROLL CALL

**Members Present:**

Sen. Fred Thomas, Chair (R)  
Sen. David Howard, Vice Chair (R)  
Sen. Mary Caferro (D)  
Sen. Cary Smith (R)  
Sen. Nels Swandal (R)  
Sen. Jonathan Windy Boy (D) (arrived after roll call)

**Members Excused:** Sen. Diane Sands (D)

**Members Absent:** None

**Staff Present:** Barbara Pietuch, Committee Secretary  
Alexis Sandru, 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 237, 3/9/2015; HB 507, 3/9/2015; HB 513, 3/9/2015

Executive Action: HB 348 BE CONCURRED IN; HB 200 BE TABLED; HB 382 BE  
CONCURRED IN

00:00:01 Chairman Thomas

**EXECUTIVE ACTION ON HB 348**

00:01:05 **Motion/Vote:** Sen. Swandal moved that **HB 348 BE CONCURRED IN**. Motion carried 4-3 by voice vote with Sen. Caferro, Sen. Sands and Sen. Windy Boy voting no. Sen. Sands and Sen. Windy Boy voted by proxy. Sen. Smith will carry the bill.

00:01:30 Chairman Thomas

**EXECUTIVE ACTION ON HB 200**

00:02:07 **Motion:** Sen. Swandal moved that **HB 200 BE TABLED**.

**Discussion:**

00:02:55 Chairman Thomas

00:03:00 **Vote:** Motion carried 6-1 by voice vote with Sen. Howard voting no. Sen. Sands and Sen. Windy Boy voted by proxy.

**EXECUTIVE ACTION ON HB 382**

00:03:37 **Motion:** Sen. Howard moved that **HB 382 BE CONCURRED IN**.

**Discussion:**

00:03:59 Chairman Thomas

00:04:15 **Vote:** Motion carried unanimously by voice vote. Sen. Sands and Sen. Windy Boy voted by proxy. Sen. Caferro will carry the bill.

00:05:06 Chairman Thomas

00:06:38 Recess

00:08:00 Sen. Windy Boy entered the hearing.

00:23:07 Reconvene

00:23:10 Chairman Thomas

**HEARING ON HB 507**

**Opening Statement by Sponsor:**

00:23:21 Rep. Gordon Pierson (D), HD 78, opened the hearing on HB 507, Revising laws relating to investigations of abuse at MT Developmental Center.

**Proponents' Testimony:**

00:25:41 Dana Toole, bureau chief, Children's Justice Bureau, Department of Justice (DOJ)

**Opponents' Testimony:** None

**Informational Testimony:**

00:27:27 Paulette Kohlman, staff attorney, Department of Public Health and Human Services

**Questions from Committee Members and Responses:**

00:27:46 Sen. Howard  
00:28:13 Rep. Pierson  
00:28:22 Ms. Toole, DOJ  
00:29:19 Sen. Howard  
00:30:14 Ms. Toole  
00:31:45 Sen. Caferro  
00:32:17 Ms. Toole

00:32:23 Chairman Thomas turned the chair over to Vice Chair Howard.

00:32:34 Chairman Thomas left the hearing.

**Closing by Sponsor:**

00:33:24 Rep. Pierson

**HEARING ON HB 513**

**Opening Statement by Sponsor:**

00:34:22 Rep. Andrew Person (D), HD 96, opened the hearing on HB 513, Clarify rules of evidence for mental health professional-client privilege.

**Proponents' Testimony:**

00:38:33 Matt Kuntz, executive director, NAMI Montana

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:40:36 Sen. Swandal  
00:40:50 Rep. Person

**Closing by Sponsor:**

- 00:41:24 Rep. Person
- 00:40:38 Chairman Thomas entered the hearing.
- 00:41:40 Vice Chair Howard turned the chair back over to Chairman Thomas.

**HEARING ON HB 237**

**Opening Statement by Sponsor:**

- 00:41:52 Rep. Albert Olszewski (R), HD 11, opened the hearing on HB 237, Providing requirements for Medicaid overpayment audits.

**Proponents' Testimony:**

- 00:42:52 Greg Gould, attorney, Montana Dental Association (MDA)  
[EXHIBIT\(phs52a01\)](#)
- 00:52:08 Chris Hirt, president, Montana Dental Association  
[EXHIBIT\(phs52a02\)](#)
- 00:54:06 Bob Olsen, Montana Hospital Association (MHA)  
[EXHIBIT\(phs52a03\)](#)
- 00:56:32 Jane Gillette, health researcher, dentist, Montana Dental Association
- 00:59:34 Kevin Rencher, pediatric dentist, representing himself
- 01:03:39 Susan Tiede, dentist, Montana Dental Association
- 01:06:29 Aidan Myhre, Kalispell Regional Medical Center
- 01:07:18 Jon Metropoulos, attorney, A.W.A.R.E., Inc.
- 01:08:24 Janie McCall, representing Legacy Providers Group and Montana Children's Initiative
- 01:09:22 Marcus Kelley, optometrist, first vice president, Montana Optometric Association
- 01:10:02 Matt Kuntz, executive director, NAMI Montana
- 01:10:43 Mona Jamison, Montana Physical Therapy Association
- 01:11:23 Marti Wangen, executive director, Montana Podiatric Medical Association
- 01:11:41 Margaret Morgan, Montana Association of Dental Hygienists
- 01:12:11 Jean Branscum, executive vice president, Montana Medical Association

**Opponents' Testimony:**

- 01:14:00 Marie Matthews, manager, Operations Services Branch, Department of Public Health and Human Services (DPHHS)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

- 01:21:50 Sen. Windy Boy

01:22:47 Ms. Matthews, DPHHS  
01:23:52 Sen. Windy Boy  
01:24:33 Ms. Matthews  
01:24:44 Sen. Windy Boy  
01:24:50 Ms. Matthews  
01:25:06 Sen. Windy Boy  
01:25:34 Ms. Matthews  
01:26:13 Sen. Windy Boy  
01:26:32 Ms. Matthew  
01:26:49 Chairman Thomas  
01:27:20 Mr. Gould, MDA  
01:28:17 Chairman Thomas  
01:29:16 Mr. Olsen, MHA  
01:30:36 Chairman Thomas  
01:30:43 Mr. Olsen  
01:34:24 Chairman Thomas  
01:34:35 Mr. Olsen  
01:35:57 Sen. Howard  
01:36:28 Mr. Olsen

**Closing by Sponsor:**

01:38:41 Rep. Olszewski  
01:39:54 Chairman Thomas

**ADJOURNMENT**

Adjournment: 4:19 PM

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Barbara Pietuch, Secretary

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Additional Documents:

**EXHIBIT([phs52aad.pdf](#))**