

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: Chair Kirk Wagoner, on March 24, 2017 at 3:00 PM, in Room 152 Capitol

ROLL CALL

Members Present:

Rep. Kirk Wagoner, Chair (R)
Rep. Jessica Karjala, Vice Chair (D)
Rep. Dennis R. Lenz, Vice Chair (R)
Rep. Mary Ann Dunwell (D)
Rep. Kathy Kelker (D)
Rep. Forrest Mandeville (R)
Rep. Vince Ricci (R)
Rep. Walt Sales (R)
Rep. Barry Usher (R)
Rep. Tom Welch (R)

Members Excused:

Rep. Bill Harris (R)
Rep. Ellie Hill Smith (D)
Rep. Tom Jacobson (D)
Rep. Gordon Pierson Jr (D)
Rep. Matt Regier (R)

Members Absent: None

Staff Present: Sue O'Connell, Legislative Branch
Carolyn Tschida, 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 612, 3/21/2017; HB 617, 3/21/2017; SB 271, 3/21/2017;
SB 272, 3/21/2017; HB 634, 3/22/2017; HB 637, 3/22/2017;
HB 649, 3/23/2017

Executive Action: HB 634; SB 271; HB 612; HB 637; HB 649; HB 572; HB 589;
HB 590

HEARING ON SB 272**Opening Statement by Sponsor:**

00:01:23 Sen. Roger Webb (R), SD 23, opened the hearing on SB 272, Revising laws related to assisted care facility licensing and mental health.

Proponents' Testimony:

00:03:44 Lynne Mallowney Cabrera, Alzheimer's Association
00:06:57 Beth Brenneman, Disability Rights Montana
00:07:03 Rep. Harris joined the meeting
00:09:08 Claudia Clifford, AARP

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

00:09:56 Rep. Kelker
00:11:02 Lynne Mallowney Cabrera, Alzheimer's Association
00:11:35 Rep. Kelker
00:12:12 Lynne Mallowney Cabrera, Alzheimer's Association
00:12:55 Rep. Kelker
00:13:09 Beth Brenneman, Disability Rights Montana
00:13:38 Rep. Kelker
00:14:29 Beth Brenneman, Disability Rights Montana
00:14:56 Rep. Ricci
00:15:39 Beth Brenneman, Disability Rights Montana
00:17:14 Rep. Karjala
00:18:44 Sen. Webb
00:21:50 Rep. Karjala
00:22:28 Sen. Webb
00:22:35 Rep. Jacobson joined the meeting

Closing by Sponsor:

00:23:16 Sen. Webb

00:24:39 Recess
00:32:13 Reconvene

HEARING ON HB 617**Opening Statement by Sponsor:**

00:32:30 Rep. Andrea Olsen (D), HD 100, opened the hearing on HB 617, Provide for licensure of specialists in educational psychology.

[EXHIBIT\(huh61a01\)](#)

[EXHIBIT\(huh61a02\)](#)

Proponents' Testimony:

00:35:41 Noelle Naiden, School Psychologist
[EXHIBIT\(huh61a03\)](#)

00:39:55 Dennis Parman, Montana Rural Education Association (MREA)

00:43:02 Tara Smart, School Psychologist

00:45:18 Julie Parker, Montana Association of School Psychologists

EXHIBIT(huh61a04)

00:50:48 Lisa Birnbaum, School Psychologist

EXHIBIT(huh61a05)

00:51:31 Danielle Gelderman, Self

EXHIBIT(huh61a06)

Opponents' Testimony:

00:52:35 Dr. Greg Machek, Self

EXHIBIT(huh61a07)

00:55:55 Juliana Robinson, Self

00:59:48 Dr. Mary Kay Bogumill, Montana Psychological Association (MPA)

01:02:19 Marti Wangen, Montana Psychological Association (MPA)

Informational Testimony:

01:03:16 Todd Younkin, Montana Department of Labor and Industry (MTDLI)

Questions from Committee Members and Responses:

01:04:12 Rep. Kelker

01:05:06 Dr. Greg Machek

01:09:28 Rep. Kelker

01:09:59 Dr. Greg Machek

01:11:08 Rep. Karjala

01:12:00 Noelle Naiden, School Psychologist

01:13:25 Rep. Karjala

01:13:43 Noelle Naiden, School Psychologist

01:13:52 Rep. Karjala

01:14:18 Rep. Olson

01:15:09 Rep. Karjala

01:15:34 Rep. Olson

01:17:02 Rep. Dunwell

01:17:44 Rep. Olson

01:18:40 Rep. Dunwell

01:19:40 Dennis Parman, MREA

01:21:36 Noelle Naiden, School Psychologist

01:23:40 Rep. Dunwell

01:24:06 Todd Younkin, MTDLI

01:25:33 Rep. Dunwell

01:26:01 Todd Younkin, MTDLI

01:26:44 Rep. Kelker

01:27:25 Todd Younkin, MTDLI

01:27:44 Rep. Kelker

01:28:05 Todd Younkin, MTDLI

01:28:22 Rep. Usher

01:28:53 Noelle Naiden, School Psychologist

01:29:55 Rep. Usher
01:30:36 Noelle Naiden, School Psychologist
01:32:17 Rep. Dunwell
01:32:45 Dr. Mary Kay Bogumill, MPA
01:35:39 Rep. Karjala
01:35:57 Noelle Naiden, School Psychologist
01:37:29 Rep. Karjala
01:38:05 Noelle Naiden, School Psychologist

Closing by Sponsor:

01:39:19 Rep. Olson

01:42:10 Recess
01:51:39 Reconvene

HEARING ON SB 271**Opening Statement by Sponsor:**

01:52:03 Sen. Mary Caferro (D), SD 41, opened the hearing on SB 271, Revise laws related to the closure of the Montana Developmental Center.

Proponents' Testimony:

01:56:27 Beth Brennehan, Disability Rights Montana
01:58:23 Rose Hughes, Montana Association of Community Disability Services (MACDS)

Opponents' Testimony:

02:01:08 Director Dan Villa, Office of Budget and Program Planning (OBPP)
02:04:19 Eric Burke, Montana Education Association-Montana Federation of Teachers (MEA-MFT)
02:05:34 Commissioner Bob Mullen, Jefferson County

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:07:29 Sen. Caferro

02:08:01 Rep. Harris left the meeting

02:11:19 Recess
02:18:49 Reconvene

HEARING ON HB 634**Opening Statement by Sponsor:**

02:19:03 Rep. Tom Woods (D), HD 62, opened the hearing on HB 634, Provide for levy on hospitals for medical education programs.

[EXHIBIT\(huh61a08\)](#)

Proponents' Testimony: None**Opponents' Testimony:**

02:25:50 Dick Brown, Montana Hospital Association (MHA)

02:32:05 Mike Foster, Montana Catholic Hospitals

EXHIBIT(huh61a09)

02:34:05 Aimee Grmoljez, Billings Clinic; Community Medical Center

02:37:11 Jessie Luther, Benefis Health System

02:38:59 Bill Warden, St. Peters Hospital; Bozeman Health

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

02:40:04 Rep. Usher

02:40:32 Rep. Woods

02:41:00 Rep. Regier joined the meeting

02:42:29 Rep. Usher

02:42:42 Rep. Woods

02:42:47 Rep. Kelker

02:43:25 Aimee Grmoljez, Billings Clinic; Community Medical Center

02:43:43 Rep. Kelker

02:44:07 Aimee Grmoljez, Billings Clinic; Community Medical Center

02:44:37 Rep. Sales

02:45:03 Rep. Woods

02:46:24 Rep. Sales

02:46:47 Rep. Woods

02:48:23 Rep. Dunwell

02:48:55 Rep. Woods

02:49:31 Rep. Dunwell

02:49:39 Rep. Woods

02:50:09 Rep. Dunwell

02:50:34 Dick Brown, MHA

02:51:20 Rep. Kelker

02:51:52 Dick Brown, MHA

Closing by Sponsor:

02:53:00 Rep. Woods

02:54:39 Chair Wagoner

02:54:50 Rep. Sales

02:54:59 Chair Wagoner

EXECUTIVE ACTION ON HB 63402:55:06 **Motion:** Rep. Lenz moved to **TAKE ACTION** on **HB 634**.**Discussion:**

02:55:16 Chair Wagoner

02:55:22 Rep. Karjala

02:55:26 Chair Wagoner
02:55:33 Rep. Sales
02:55:36 Chair Wagoner
02:56:08 Rep. Mandeville
02:56:21 Chair Wagoner

02:57:00 **Vote:** Motion carried 11-4 by roll call vote with Rep. Dunwell, Rep. Hill Smith, Rep. Jacobson and Rep. Karjala voting no. Rep. Harris, Rep. Hill Smith and Rep. Pierson voted by proxy.

Discussion:

02:58:11 Rep. Dunwell
02:58:27 Rep. Harris joined the meeting
02:59:11 Rep. Usher
02:59:20 Rep. Dunwell

02:59:27 **Motion:** Rep. Lenz moved that **HB 634 DO PASS.**

Discussion:

02:59:39 Rep. Karjala
03:00:19 Chair Wagoner

03:00:39 **Vote:** Motion failed 3-12 by roll call vote with Rep. Dunwell, Rep. Hill Smith and Rep. Mandeville voting aye. Rep. Hill Smith and Rep. Pierson voted by proxy.

03:01:51 **Motion/Vote:** Rep. Lenz moved that **HB 634 BE TABLED.** Motion carried 14-1 by voice vote with Rep. Usher voting no.

03:02:50 Recess
03:15:04 Reconvene

HEARING ON HB 612**Opening Statement by Sponsor:**

03:15:24 Rep. Mike Hopkins (R), HD 92, opened the hearing on HB 612, Generally revise laws related to Emergency Care Providers and Veterans.

Proponents' Testimony:

03:20:28 Jason Zentgraf, Rural Institute Veterans Education Research (RIVER)
03:21:16 Ed Lesofski, Rural Institute Veterans Education Research (RIVER)

Opponents' Testimony:

03:21:55 Joe Foster, Department of Military Affairs, Veterans Affairs Division
03:24:08 Greg Dorrington, Montana Medical Association (MMA)

Informational Testimony: None

Questions from Committee Members and Responses:

03:27:35 Rep. Mandeville
03:27:56 Rep. Hopkins

03:29:34 Rep. Harris
03:30:14 Joe Foster, Veterans Affairs Division
03:30:54 Rep. Harris
03:31:11 Joe Foster, Department of Military Affairs
03:31:28 Rep. Sales
03:31:55 Rep. Hopkins
03:32:58 Rep. Harris
03:33:16 Rep. Hopkins
03:37:08 Rep. Harris
03:37:39 Rep. Hopkins
03:38:18 Rep. Lenz
03:38:56 Rep. Hopkins
03:40:05 Rep. Lenz
03:40:28 Rep. Hopkins
03:40:45 Rep. Jacobson left the meeting
03:41:21 Chair Wagoner
03:42:28 Joe Foster, Department of Military Affairs
03:43:00 Chair Wagoner
03:43:25 Joe Foster, Department of Military Affairs

Closing by Sponsor:

03:43:48 Rep. Hopkins

03:48:50 Recess

04:09:06 Reconvene

HEARING ON HB 637

Opening Statement by Sponsor:

04:09:22 Rep. Jon Knokey (R), HD 65, opened the hearing on HB 637, Require Medicaid coverage of marriage and family therapist services.

Proponents' Testimony:

04:09:59 Abigail St. Lawrence, Montana Association of Marriage and Family Therapists (MAMFT)

EXHIBIT(huh61a10)

04:10:41 Cyndi McNeil, Montana Association of Marriage and Family Therapists (MAMFT)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

04:12:24 Rep. Usher

04:12:56 Cyndi McNeil, MAMFT

Closing by Sponsor:

04:13:26 Rep. Knokey

04:14:00 Chair Wagoner

HEARING ON HB 649

Opening Statement by Sponsor:

04:15:11 Rep. Vince Ricci (R), HD 55, opened the hearing on HB 649, Revise consumer protection laws to provide rescission right in assisted care.

Proponents' Testimony:

04:16:33 Debbie Ricci, Caregiver
04:27:10 Mark Mattioli, Office of Consumer Protection (OCP)
04:27:42 Jackie Boyle, AARP

Opponents' Testimony:

04:28:42 Rose Hughes, Montana Healthcare Association (MHCA)

Informational Testimony: None

Questions from Committee Members and Responses:

04:36:16 Rep. Welch
04:36:43 Mark Mattioli, OCP
04:37:00 Rep. Welch
04:38:15 Rose Hughes, MHCA
04:40:22 Rep. Welch
04:41:24 Rose Hughes, MHCA

Closing by Sponsor:

04:43:18 Rep. Ricci

04:45:32 Chair Wagoner

04:46:59 Recess
05:08:33 Reconvene

EXECUTIVE ACTION ON SB 271

05:08:47 **Motion:** Rep. Lenz moved that **SB 271 BE CONCURRED IN.**

Discussion:

05:09:03 Sue O'Connell, Legislative Services Division (LSD)

05:09:34 **Motion:** Rep. Lenz moved that **SB 271 BE AMENDED.**
[EXHIBIT\(huh61a11\)](#)

Discussion:

05:09:51 Chair Wagoner
05:10:10 Rep. Harris
05:11:51 Rep. Dunwell
05:13:14 Chair Wagoner
05:13:37 Rep. Dunwell

05:13:57 Rep. Usher
05:14:38 Chair Wagoner

05:14:54 **Vote:** Motion carried 12-3 by roll call vote with Rep. Dunwell, Rep. Harris and Rep. Hill Smith voting no. Rep. Hill Smith, Rep. Jacobson and Rep. Pierson voted by proxy.

05:16:32 **Motion:** Rep. Lenz moved that **SB 271 BE CONCURRED IN AS AMENDED.**

Discussion:

05:16:42 Rep. Dunwell
05:18:00 Chair Wagoner
05:18:25 Rep. Dunwell
05:18:29 Chair Wagoner
05:19:31 Rep. Dunwell
05:19:43 Chair Wagoner
05:19:58 Sue O'Connell, LSD
05:20:32 Chair Wagoner

05:20:38 **Vote:** Motion carried 13-2 by roll call vote with Rep. Harris and Rep. Mandeville voting no. Rep. Hill Smith, Rep. Jacobson and Rep. Pierson voted by proxy. Rep. Wagoner will carry the bill.

EXECUTIVE ACTION ON HB 612

05:22:16 **Motion:** Rep. Lenz moved that **HB 612 DO PASS.**

Discussion:

05:22:25 Sue O'Connell, LSD
05:22:40 Rep. Kelker
05:23:54 Rep. Lenz
05:24:42 Rep. Karjala
05:25:05 Rep. Dunwell
05:25:38 Rep. Harris
05:25:56 Rep. Usher
05:27:34 Sue O'Connell, LSD
05:28:17 Rep. Karjala
05:28:45 Rep. Usher
05:28:54 Rep. Kelker
05:29:28 Rep. Lenz
05:30:33 Rep. Karjala
05:31:41 Rep. Sales

05:32:44 **Vote:** Motion carried 9-6 by roll call vote with Rep. Kelker, Rep. Lenz, Rep. M. Regier, Rep. Usher, Rep. Wagoner and Rep. Welch voting no. Rep. Hill Smith, Rep. Jacobson and Rep. Pierson voted by proxy.

EXECUTIVE ACTION ON HB 637

05:34:26 **Motion:** Rep. Lenz moved that **HB 637 DO PASS.**

Discussion:

05:34:36 Sue O'Connell, LSD

05:34:52 **Motion:** Rep. Lenz moved that **HB 637 BE AMENDED.**
EXHIBIT(huh61a12)

Discussion:

05:35:11 Sue O'Connell, LSD

05:35:25 Chair Wagoner

05:35:47 **Vote:** Motion carried unanimously by voice vote. Rep. Hill Smith, Rep. Jacobson and Rep. Pierson voted by proxy.

05:36:27 **Motion/Vote:** Rep. Lenz moved that **HB 637 DO PASS AS AMENDED.** Motion carried unanimously by voice vote. Rep. Hill Smith, Rep. Jacobson and Rep. Pierson voted by proxy.

EXECUTIVE ACTION ON HB 649

05:37:06 **Motion:** Rep. Lenz moved that **HB 649 DO PASS.**

Discussion:

05:37:20 Sue O'Connell, LSD

05:37:37 **Motion:** Rep. Lenz moved that **HB 649 BE AMENDED.**
EXHIBIT(huh61a13)

Discussion:

05:37:50 Sue O'Connell, LSD

05:38:18 Rep. Ricci

05:38:43 **Vote:** Motion carried unanimously by voice vote. Rep. Hill Smith, Rep. Jacobson and Rep. Pierson voted by proxy.

05:39:19 **Motion:** Rep. Lenz moved that **HB 649 DO PASS AS AMENDED.**

Discussion:

05:39:26 Rep. Ricci

05:40:28 Rep. Dunwell

05:40:57 **Vote:** Motion carried unanimously by voice vote. Rep. Hill Smith, Rep. Jacobson and Rep. Pierson voted by proxy.

05:41:25 Rep. Usher

05:41:39 Chair Wagoner

05:41:46 Rep. Usher

EXECUTIVE ACTION ON HB 572

05:41:54 **Motion:** Rep. Lenz moved that **HB 572 DO PASS.**

Discussion:

05:42:00 Sue O'Connell, LSD

05:42:15 **Vote:** Motion carried unanimously by voice vote. Rep. Hill Smith, Rep. Jacobson and Rep. Pierson voted by proxy.

EXECUTIVE ACTION ON HB 589

05:42:58 **Motion:** Rep. Lenz moved that **HB 589 DO PASS.**

Discussion:

05:43:13 Sue O'Connell, LSD

05:43:25 Rep. Karjala

05:44:23 Rep. Lenz

05:45:45 **Vote:** Motion carried 12-3 by roll call vote with Rep. Hill Smith, Rep. Karjala and Rep. Pierson voting no. Rep. Hill Smith, Rep. Jacobson and Rep. Pierson voted by proxy.

EXECUTIVE ACTION ON HB 590

05:47:08 **Motion:** Rep. Lenz moved that **HB 590 DO PASS.**

05:47:35 **Motion:** Rep. Lenz moved that **HB 590 BE AMENDED.**

[EXHIBIT\(huh61a14\)](#)

Discussion:

05:47:44 Sue O'Connell, LSD

05:49:18 Chair Wagoner

05:49:58 Rep. Harris

05:51:45 Rep. Lenz

05:53:09 Rep. Dunwell

05:53:55 Rep. Lenz

05:55:27 Chair Wagoner

05:55:37 Rep. Welch

05:56:09 Rep. Usher

05:56:46 Chair Wagoner

05:57:08 Rep. Lenz

05:57:23 Chair Wagoner

05:57:32 Rep. Lenz

05:58:44 Rep. Karjala

05:59:28 Sue O'Connell, LSD

06:00:11 Chair Wagoner

06:00:24 **Vote:** Motion carried 9-6 by roll call vote with Rep. Harris, Rep. Lenz, Rep. Mandeville, Rep. M. Regier, Rep. Usher and Rep. Wagoner voting no. Rep. Hill Smith, Rep. Jacobson and Rep. Pierson voted by proxy.

06:01:51 **Motion/Vote:** Rep. Lenz moved that **HB 590 DO PASS AS AMENDED**. Motion carried 10-5 by roll call vote with Rep. Lenz, Rep. Mandeville, Rep. M. Regier, Rep. Usher and Rep. Wagoner voting no. Rep. Hill Smith, Rep. Jacobson and Rep. Pierson voted by proxy.

06:03:11 Rep. Ricci

ADJOURNMENT

Adjournment: 06:03:45

Carolyn Tschida, Secretary

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Additional Documents:

EXHIBIT([huh61aad.pdf](#))