

HOUSE BILL NO. 680

INTRODUCED BY T. MOORE, G. PIERSON

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO TARGETED CASE MANAGEMENT SERVICES; ESTABLISHING A CASELOAD CAP ON CONTRACTED TARGETED CASE MANAGEMENT SERVICES FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES; APPROPRIATING MONEY FOR MEETING THE CASELOAD REQUIREMENTS; AMENDING SECTIONS 53-20-202 AND 53-20-205, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-20-202, MCA, is amended to read:

"53-20-202. Definitions. As used in this part, the following definitions apply:

(1) "Comprehensive developmental disability system" means a system of services, including but not limited to the following basic services, with the intention of providing alternatives to institutionalization:

- (a) evaluation services;
- (b) diagnostic services;
- (c) treatment services;
- (d) day-care services;
- (e) training services;
- (f) education services;
- (g) employment services;
- (h) recreation services;
- (i) personal-care services;
- (j) domiciliary-care services;
- (k) special living arrangements services;
- (l) counseling services;
- (m) information and referral services;
- (n) follow-along services;
- (o) protective and other social and sociolegal services, including case management services as defined

1 in 42 CFR 440.169; and

2 (p) transportation services.

3 (2) "Department" means the department of public health and human services.

4 (3) "Developmental disabilities" means disabilities attributable to intellectual disability, cerebral palsy,
5 epilepsy, autism, or any other neurologically disabling condition closely related to intellectual disability and
6 requiring treatment similar to that required by intellectually disabled individuals if the disability originated before
7 the person attained age 18, has continued or can be expected to continue indefinitely, and results in the person
8 having a substantial disability.

9 (4) "Developmental disabilities facility" means any service or group of services offering care to persons
10 with developmental disabilities on an inpatient, outpatient, residential, clinical, or other programmatic basis.

11 (5) "Legal resident" means a person who maintains Montana as the person's principal establishment,
12 home of record, or permanent home and where, whenever absent due to military obligation, the person intends
13 to return.

14 (6) "Military dependent" means a child of a military service member.

15 (7) "Military service" means service in the armed forces or armed forces reserves or membership in the
16 Montana national guard.

17 (8) "Military service member" means a person who is currently in military service or who has separated
18 from military service in the previous 18 months either through retirement or military separation."

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20 **Section 2.** Section 53-20-205, MCA, is amended to read:

21 **"53-20-205. Community services.** (1) The department may establish and administer community
22 comprehensive services, programs, clinics, or other facilities throughout the state for the purpose of aiding in the
23 prevention, diagnosis, amelioration, or treatment of developmental disabilities. Programs, clinics, or other services
24 may be provided directly by state agencies or indirectly through contract or cooperative arrangements with other
25 agencies of government, regional or local, private or public agencies, private professional persons, or accredited
26 health or long-term care facilities.

27 (2) (a) The department may contract for programs for developmental disabilities services. Contracts
28 entered into by the department must contain specific conditions for performance by the contractor. The
29 department shall set minimum standards for programs and establish appropriate qualifications for persons
30 employed in the programs.

1 (b) A contract for case management services targeted for people with developmental disabilities must
2 include funding to allow for an average caseload of no more than 35 clients per case manager.

3 (3) All developmental disabilities facilities and services must comply with existing federal guidelines and
4 with requirements that will enable the services and facilities to qualify for available aid funds. However, this
5 section does not require facilities serving persons with developmental disabilities to meet the same or equal
6 standards as licensed medical facilities unless the developmental disabilities facility is providing professional or
7 skilled medical care.

8 (4) Comprehensive services, programs, clinics, or other facilities established or provided by the
9 department under this part must conform as nearly as possible to the plans of the council created under
10 2-15-1869.

11 (5) The department may promote scientific and medical research investigations relative to the incidence,
12 cause, prevention, and care of persons with developmental disabilities."
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14 **NEW SECTION. Section 3. Appropriation.** The following amounts are appropriated to the department
15 of public health and human services for the biennium beginning July 1, 2019, for contracted case management
16 services for people with developmental disabilities:

| | | | |
|----|------------------|------------------------|-------------------------|
| 17 | Fiscal year 2020 | \$1,624,250 | federal special revenue |
| 18 | | <u>\$927,348</u> | |
| 19 | | \$875,750 | general fund |
| 20 | | <u>\$500,000</u> | |
| 21 | Fiscal year 2021 | \$1,619,500 | federal special revenue |
| 22 | | <u>\$919,648</u> | |
| 23 | | \$880,500 | general fun |
| 24 | | <u>\$500,000</u> | |

25
26 **NEW SECTION. Section 4. Direction to department of public health and human services.** The
27 legislature intends that the appropriation in [this act] be combined with, and not supplant, existing funding
28 appropriated in House Bill No. 2 as part of the base budget for the department of public health and human
29 services and used by the developmental services division for targeted case management services for people with
30 developmental disabilities.

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2 NEW SECTION. **Section 5. Effective date.** [This act] is effective July 1, 2019.

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