

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: Chair Dennis R. Lenz, on February 22, 2019 at 3:00 PM, in Room 152
Capitol

ROLL CALL

Members Present:

Rep. Dennis R. Lenz, Chair (R)
Rep. Edward Buttrey, Vice Chair (R)
Rep. Gordon Pierson Jr, Vice Chair (D)
Rep. Barbara Bessette (D)
Rep. David Dunn (R)
Rep. Kathy Kelker (D)
Rep. Terry Moore (R)
Rep. Vince Ricci (R)
Rep. Walt Sales (R)
Rep. Barry Usher (R)
Rep. Peggy Webb (R)
Rep. Tom Welch (R)
Rep. Thomas Winter (D)

Members Excused: Rep. Kim Abbott (D)
Rep. Jade Bahr (D)
Rep. Mary Ann Dunwell (D)
Rep. Forrest Mandeville (R)
Rep. Shane A. Morigeau (D)
Rep. Lola Sheldon-Galloway (R)

Members Absent: None

Staff Present: Lydia Balian, Committee Secretary
Sue O'Connell, 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 519, 2/19/2019; HB 545, 2/19/2019; HB 555, 2/19/2019
Executive Action on: HB 488; HB 502; HB 503; HB 518; HB 453; HB 519; HB 545

- 15:24:38 Chair Lenz
- 15:24:47 Vice Chair Buttrey assumed the Chair.
- 15:24:48 Rep. Bahr joined the meeting.

HEARING ON HB 555

Opening Statement by Sponsor:

- 15:25:12 Rep. Dennis Lenz (R), HD 53, opened the hearing on HB 555, Ensuring transparency in prior authorization.
- 15:26:28 Rep. Dunwell joined the meeting.
- 15:27:27 Rep. Mandeville joined the meeting.
- 15:27:57 Rep. Sheldon-Galloway joined the meeting.

Proponents' Testimony:

- 15:28:13 Greg Dorrington, Montana Medical Association (MMA)
[EXHIBIT\(huh38a01\)](#)
[EXHIBIT\(huh38a02\)](#)
[EXHIBIT\(huh38a03\)](#)
- 15:39:34 Dr. Carter Beck, Montana Medical Association (MMA)
- 15:43:33 Dr. Wendy Grace, self
- 15:45:34 Per Sommer, Montana Medical Association (MMA)
- 15:50:09 Dr. Pam Cutler, Western Montana Clinic
- 15:51:49 Dr. Sarah Morgan-Edwards, Montana Medical Association (MMA)
- 15:53:12 Devon Murray, St. Peter's Health
- 15:55:26 Eve Franklin, Montana Optometric Association
- 15:56:15 Jill Steeley, PureView Health Center (PVHC)
- 15:58:29 Adrienne Cotton, American Association of Retired Persons (AARP) Montana
- 15:58:47 Bob Olsen, Montana Hospital Association (MHA)
- 16:00:22 Vicky Byrd, Montana Nurses Association
- 16:01:19 Kendall Cotton, Commissioner of Securities and Insurance (CSI)
- 16:01:46 Jonathan Griffin, St. Peter's Health, Montana Medical Association (MMA)

Opponents' Testimony:

- 16:05:38 John Doran, Blue Cross and Blue Shield of Montana (BCBSMT)
- 16:13:46 Jennifer Hensley, Pacific Source Health Plans
[EXHIBIT\(huh38a04\)](#)
[EXHIBIT\(huh38a05\)](#)
- 16:20:34 Richard Miltenberger, Montana Health Co-Op
- 16:26:06 Sean Slinger, America's Health Insurance Plans (AHIP)

Informational Testimony:

None

Questions from Committee Members and Responses:

16:30:07 Rep. Dunwell
16:31:59 Rep. Lenz
16:32:48 Rep. Dunwell
16:33:05 Greg Dorrington, MMA
16:33:52 Rep. Kelker
16:34:28 John Doran, BCBSMT
16:35:02 Rep. Kelker
16:35:21 John Doran, BCBSMT
16:35:38 Rep. Ricci
16:36:18 Dr. Beck, MMA
16:38:03 Rep. Ricci
16:38:23 Dr. Beck, MMA
16:39:14 Vice Chair Pierson
16:39:29 John Doran, BCBSMT
16:39:50 Vice Chair Pierson
16:39:56 Jennifer Hensley, Pacific Source Health Plans
16:40:18 Vice Chair Pierson
16:40:25 Richard Miltenberger, Montana Health Co-Op
16:40:39 Rep. Sheldon-Galloway
16:41:03 Devon Muray, St. Peter's Health
16:41:19 Rep. Sheldon-Galloway
16:41:25 Devon Muray, St. Peter's Health
16:41:57 Rep. Sheldon-Galloway
16:42:11 John Doran, BCBSMT
16:42:40 Dr. James Paul Maganito, Blue Cross and Blue Shield of Montana (BCBSMT)
16:43:37 Rep. Sheldon-Galloway
16:43:56 Dr. Maganito, BCBSMT
16:44:57 Rep. Sales
16:45:19 Dr. Maganito, BCBSMT
16:48:24 Rep. Sales
16:48:45 Dr. Morgan-Edwards, MMA
16:48:57 Rep. Sales
16:49:06 Dr. Morgan-Edwards, MMA
16:49:40 Rep. Sales
16:49:49 Greg Dorrington, MMA
16:50:46 Rep. Usher
16:51:47 Jennifer Hensley, Pacific Source Health Plans
16:53:58 Rep. Usher
16:54:39 Dr. Maganito, BCBSMT
16:55:01 Rep. Usher
16:55:20 Dr. Maganito, BCBSMT
16:56:03 Rep. Mandeville
16:56:44 Bob Olsen, MHA
16:57:06 Rep. Dunn
16:57:27 John Doran, BCBSMT
16:57:56 Rep. Dunn
16:58:04 John Doran, BCBSMT
16:58:12 Vice Chair Pierson
16:58:31 Greg Dorrington, MMA

16:58:50 Dr. Beck, MMA
16:59:41 Rep. Sales
17:00:16 Jonathan Griffin, St. Peter's Health, MMA
17:01:56 Rep. Sales
17:02:22 Jonathan Griffin, St. Peter's Health, MMA
17:03:44 Rep. Usher
17:04:30 Chair Buttrey
17:04:50 Dr. Maganito, BCBSMT
17:05:26 Chair Buttrey
17:05:52 Rep. Lenz
17:06:21 Vice Chair Pierson
17:06:39 John Doran, BCBSMT

Closing by Sponsor:

17:07:51 Rep. Lenz

17:12:30 Rep. Lenz resumed the Chair.

HEARING ON HB 519**Opening Statement by Sponsor:**

17:12:38 Rep. Thomas Winter (D), HD 96, opened the hearing on HB 519, Eliminate certificate of need law for home health agencies.

Proponents' Testimony:

17:16:04 Kendall Cotton, Commissioner of Securities and Insurance (CSI)

[EXHIBIT\(huh38a06\)](#)

17:19:20 Adrienne Cotton, American Association of Retired Persons (AARP) Montana

Opponents' Testimony:

17:20:39 Bob Olsen, Montana Hospital Association (MHA)

[EXHIBIT\(huh38a07\)](#)**Informational Testimony:**

17:23:46 Marie Matthews, Department of Public Health and Human Services (DPHHS)

Questions from Committee Members and Responses:

17:24:06 Rep. Sheldon-Galloway
17:24:52 Kendall Cotton, CSI
17:25:39 Vice Chair Buttrey
17:26:15 Bob Olsen, MHA
17:27:03 Rep. Dunwell
17:27:47 Marie Matthews, DPHHS
17:28:17 Rep. Sales
17:28:43 Kendall Cotton, CSI

Closing by Sponsor:

17:29:46 Rep. Winter

17:31:15 Rep. Dunn left the meeting.

HEARING ON HB 545

Opening Statement by Sponsor:

17:31:43 Rep. Gordon Pierson (D), HD 78, opened the hearing on HB 545, Generally revise occupational behavioral health licensing laws.

Proponents' Testimony:

17:32:09 Stacey Andersen, Montana Primary Care Association (MPCA)

[EXHIBIT\(huh38a08\)](#)

[EXHIBIT\(huh38a09\)](#)

17:39:39 Ben McGaugh, PureView Health Center

17:42:04 Melissa Moore, Shodair Children's Hospital

17:43:49 Kimberly Gardner, Board of Behavioral Health

Opponents' Testimony:

None

Informational Testimony:

17:47:09 Judy Bovington, Department of Labor and Industry (DLI)

Questions from Committee Members and Responses:

17:47:29 Rep. Moore

17:48:17 Kimberly Gardener, Board of Behavioral Health

17:49:29 Rep. Sales

17:49:50 Kimberly Gardener, Board of Behavioral Health

17:49:56 Rep. Sales

17:50:21 Kimberly Gardener, Board of Behavioral Health

17:51:05 Rep Sales

17:51:16 Kimberly Gardener, Board of Behavioral Health

17:51:35 Judy Bovington, DLI

17:53:08 Rep. Kelker

17:53:48 Judy Bovington, DLI

17:54:53 Rep. Dunwell

17:54:57 Rep. Dunn rejoined the meeting.

17:55:17 Kimberly Gardener, Board of Behavioral Health

17:56:53 Rep. Welch

17:57:25 Kimberly Gardener, Board of Behavioral Health

Closing by Sponsor:

17:58:33 Rep. Pierson

17:59:12 Chair Lenz

18:00:19 Recessed

18:28:09 Reconvened

EXECUTIVE ACTION ON HB 453

18:28:21 **Motion:** Rep. Buttrey moved that **HB 453 DO PASS**.

Discussion:

18:28:25 Sue O'Connell, Legislative Services Division (LSD)

18:28:54 **Substitute Motion/Vote:** Rep. Dunn made a substitute motion that **HB 453 BE TABLED**. Substitute Motion carried 16-1 by voice vote with Rep. Dunwell voting no.

18:29:28 Rep. Dunwell

18:29:44 Chair Lenz

EXECUTIVE ACTION ON HB 488

18:30:08 **Motion:** Rep. Buttrey moved that **HB 488 DO PASS**.

Discussion:

18:30:13 Sue O'Connell, LSD

18:30:33 Vice Chair Buttrey

18:31:03 Rep. Kelker

18:31:14 **Vote:** Motion failed 1-18 by voice vote with Rep. Mandeville voting aye. Rep. Abbott and Rep. Morigeau voted by proxy.

18:31:40 **Motion/Vote:** Without objection, Rep. Buttrey moved to **TABLE HB 488**. Motion carried.

EXECUTIVE ACTION ON HB 502

18:31:53 **Motion:** Rep. Buttrey moved that **HB 502 DO PASS**.

Discussion:

18:32:02 Sue O'Connell, LSD

18:32:21 **Motion:** Rep. Buttrey moved that **HB 502 BE AMENDED**.
[EXHIBIT\(huh38a10\)](#)

Discussion:

18:32:55 Sue O'Connell, LSD

18:33:29 **Vote:** Motion carried unanimously by voice vote. Rep. Abbott and Rep. Morigeau voted by proxy.

18:33:50 **Motion/Vote:** Rep. Buttrey moved that **HB 502 DO PASS AS AMENDED**. Motion carried 18-1 by voice vote with Rep. Mandeville voting no. Rep. Abbott and Rep. Morigeau voted by proxy.

EXECUTIVE ACTION ON HB 503

18:34:30 **Motion:** Rep. Buttrey moved that **HB 503 DO PASS**.

Discussion:

18:34:37 Sue O'Connell, LSD

18:34:53 **Motion:** Rep. Winter moved that **HB 503 BE AMENDED**.

EXHIBIT(huh38a11)

Discussion:

18:35:07 Rep. Winter

18:35:26 Rep. Usher

18:35:50 Rep. Mandeville

18:37:06 **Vote:** Motion carried unanimously by voice vote. Rep. Abbott and Rep. Morigeau voted by proxy.

18:37:24 **Motion/Vote:** Rep. Buttrey moved that **HB 503 DO PASS AS AMENDED**. Motion failed 9-10 by roll call vote with Rep. Abbott, Rep. Bahr, Rep. Bessette, Rep. Dunwell, Rep. Kelker, Rep. Mandeville, Rep. Morigeau, Rep. Pierson and Rep. Winter voting aye. Rep. Abbott and Rep. Morigeau voted by proxy.

18:38:35 **Motion/Vote:** Without objection, Rep. Buttrey moved to **TABLE HB 503**. Motion carried.

EXECUTIVE ACTION ON HB 518

18:38:52 **Motion:** Rep. Buttrey moved that **HB 518 DO PASS**.

Discussion:

18:39:02 Sue O'Connell, LSD

18:39:14 Rep. Sales

18:39:23 Rep. Usher

18:39:41 **Vote:** Motion carried unanimously by voice vote. Rep. Abbott and Rep. Morigeau voted by proxy.

EXECUTIVE ACTION ON HB 519

18:39:59 **Motion/Vote:** Rep. Buttrey moved that **HB 519 DO PASS**. Motion failed 8-11 by roll call vote with Rep. Abbott, Rep. Bahr, Rep. Bessette, Rep. Dunwell, Rep. Kelker, Rep. Morigeau, Rep. Pierson and Rep. Winter voting aye. Rep. Abbott and Rep. Morigeau voted by proxy.

18:41:13 **Motion/Vote:** Without objection, Rep. Buttrey moved to **TABLE HB 519**. Motion carried.

EXECUTIVE ACTION ON HB 545

18:41:26 **Motion/Vote:** Rep. Buttrey moved that **HB 545 DO PASS**. Motion carried unanimously by voice vote. Rep. Abbott and Rep. Morigeau voted by proxy.

18:42:01 Chair Lenz

18:42:21 Rep. Sales

18:42:23 Chair Lenz

18:42:39 Rep. Pierson

ADJOURNMENT

Adjournment: 18:42:56

Lydia Balian, Secretary

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Additional Documents:

EXHIBIT([huh38aad.pdf](#))