

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: Chair Dennis R. Lenz, on February 27, 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. Jade Bahr (D)
Rep. Barbara Bessette (D)
Rep. David Dunn (R)
Rep. Mary Ann Dunwell (D)
Rep. Kathy Kelker (D)
Rep. Forrest Mandeville (R)
Rep. Terry Moore (R)
Rep. Vince Ricci (R)
Rep. Walt Sales (R)
Rep. Lola Sheldon-Galloway (R)
Rep. Barry Usher (R)
Rep. Peggy Webb (R)
Rep. Tom Welch (R)
Rep. Thomas Winter (D)

Members Excused: Rep. Kim Abbott (D)
Rep. Shane A. Morigeau (D)

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 589, 2/22/2019; HB 499, 2/22/2019; HB 560, 2/22/2019; HB 595 2/22/2019; HB 604, 2/22/2019; HB 620, 2/22/2019
Executive Action on: HB 499, HB 537, HB 542, HB 544, HB 560, HB 589, HB 598, HB 595, HB 604, HB 620

15:27:27 Chair Lenz

HEARING ON HB 560

Opening Statement by Sponsor:

15:28:06 Rep. Kathy Kelker (D), HD 47, opened the hearing on HB 560, Require DPHHS to participate in health information exchange.

Proponents' Testimony:

15:30:39 Jonathan Griffin, Montana Medical Association (MMA)

EXHIBIT(huh42a01)

15:33:55 Dr. Randal Gibb, Big Sky Care Connect, Billings Clinic

15:36:25 Marie Matthews, Department of Public Health and Human Services (DPHHS)

15:37:54 Rich Rasmussen, Montana Hospital Association

EXHIBIT(huh42a02)

15:38:26 Rep. Morigeau joined the meeting.

15:38:26 Rep. Abbott joined the meeting.

15:39:31 Jean Branscum, Montana Medical Association (MMA)

EXHIBIT(huh42a03)

15:40:03 Stacey Anderson, Montana Primary Care Association (MPCA)

15:40:14 Jennifer Hensley, Pacific Source Health Plans

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

15:40:51 Rep. Webb

15:41:15 Rep. Kelker

15:42:10 Rep. Moore

15:42:49 Dr. Randal Gibb, Big Sky Care Connect, Billings Clinic

15:43:37 Rep. Sales

15:44:01 Jonathan Griffin, MMA

15:44:37 Rep. Ricci

15:44:53 Dr. Randal Gibb, Big Sky Care Connect, Billings Clinic

15:45:19 Rep. Ricci

15:45:31 Dr. Randal Gibb, Big Sky Care Connect, Billings Clinic

Closing by Sponsor:

15:46:28 Rep. Kelker

HEARING ON HB 595**Opening Statement by Sponsor:**

15:47:40 Rep. Laurie Bishop (D), HD 60, opened the hearing on HB 595, Require coverage of 12-month supply of prescription contraceptives.

[EXHIBIT\(huh42a04\)](#)

Proponents' Testimony:

15:49:41 Laura Terrill, Planned Parenthood
15:53:04 Jennifer Hensley, Pacific Source Health Plans
15:53:18 Abigail St. Lawrence, Montana Association of Naturopathic Physicians (MTANP)
15:54:03 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)
15:54:45 Stacey Anderson, Montana Primary Care Association (MPCA)
15:55:33 Sarah Howell, Montana Women Vote (MWV)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

15:57:50 Rep. Mandeville
15:58:23 Jennifer Hensley, Pacific Source Health Plans
15:58:31 Rep. Mandeville
15:58:50 Jennifer Hensley, Pacific Source Health Plans
15:59:02 Rep. Kelker
15:59:31 Jennifer Hensley, Pacific Source Health Plans
16:00:51 Rep. Kelker
16:01:19 Jennifer Hensley, Pacific Source Health Plans
16:01:51 Vice Chair Buttrey
16:02:44 Jennifer Hensley, Pacific Source Health Plans
16:03:09 Vice Chair Buttrey
16:03:30 Jennifer Hensley, Pacific Source Health Plans
16:04:21 Rep. Ricci
16:04:46 Rep. Bishop
16:05:10 Jennifer Hensley, Pacific Source Health Plans
16:05:40 Rep. Usher
16:06:23 Laura Terrill, Planned Parenthood
16:07:09 Rep. Usher
16:07:18 Laura Terrill, Planned Parenthood

Closing by Sponsor:

16:07:45 Rep. Bishop

HEARING ON HB 604**Opening Statement by Sponsor:**

16:10:20 Rep. Jessica Karjala (D), HD 48, opened the hearing on HB 604, Direct DPHHS to develop a strategic plan for prevention programs.

Proponents' Testimony:

16:13:12 Colleen Rahn, National Alliance on Mental Illness (NAMI) Montana
16:13:36 Jean Branscum, Montana Medical Association (MMA)
16:14:26 Laura Smith, Department of Public Health and Human Services (DPHHS)
16:14:55 Stacey Anderson, Montana Primary Care Association (MPCA)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

16:15:37 Vice Chair Buttrey
16:16:22 Laura Smith, DPHHS
16:17:20 Vice Chair Buttrey
16:17:29 Laura Smith, DPHHS
16:17:36 Vice Chair Buttrey
16:17:41 Rep. Karjala
16:19:16 Vice Chair Buttrey
16:19:24 Rep. Karjala

Closing by Sponsor:

16:19:42 Rep. Karjala

HEARING ON HB 620**Opening Statement by Sponsor:**

16:23:09 Rep. Jim Hamilton (D), HD 61, opened the hearing on HB 620, Establish requirements in the billing and record keeping of medical expenses.

16:28:04 Rep. Usher left the meeting.

Proponents' Testimony:

16:28:21 Dr. Paul Gorsuch, self
16:31:26 Dr. Gary Lusin, self

Opponents' Testimony:

16:33:45 Abigail St. Lawrence, Montana Association of Naturopathic Physicians (MANP), Montana Speech Language Hearing Association (MSHA), Montana Association of Marriage and Family Therapists (MAMFT), Montana Association of Acupuncture and Oriental Medicine (MAAOM)
16:36:34 Bill Warden, St. Peter's Health, Bozeman Health

16:37:47 Bob Olsen, Montana Hospital Association (MHA)
 16:41:14 Aimee Grmoljez, Billings Clinic
 16:42:28 Frank Cote, Sister's of Charity, Providence Health
 16:42:46 Eve Franklin, Montana Optometric Association
 16:44:19 Jessie Luther, Benefis Health System
 16:44:39 Kali Wicks, Blue Cross and Blue Shield of Montana (BCBS)

EXHIBIT(huh42a05)

16:46:01 Stacey Anderson, Montana Primary Care Association (MPCA)
 16:46:47 Erin McGowan, Montana Dental Association
 16:47:06 Jennifer Hensley, Pacific Source Health Plans
 16:47:27 Sean Slanger, Americas Health Insurance Plans

Informational Testimony:

None

Questions from Committee Members and Responses:

16:48:02 Rep. Mandeville
 16:48:26 Rep. Hamilton
 16:48:38 Rep. Dunwell
 16:49:11 Rep. Hamilton
 16:49:40 Rep. Ricci
 16:49:54 Rep. Hamilton
 16:50:04 Rep. Sales
 16:50:19 Rep. Hamilton
 16:50:45 Rep. Sales
 16:51:03 Rep. Hamilton
 16:51:52 Rep. Sales
 16:52:25 Dr. Gary Lusin, self

 16:53:26 Rep. Usher rejoined the meeting.

 16:54:17 Rep. Sales
 16:54:47 Dr. Gary Lusin, self

Closing by Sponsor:

16:56:35 Rep. Hamilton

 17:00:04 Recessed
 17:05:51 Reconvened

HEARING ON HB 499**Opening Statement by Sponsor:**

17:06:21 Rep. Kathy Kelker (D), HD 47, opened the hearing on HB 499, Revise laws related to surprise medical bills.

EXHIBIT(huh42a06)**Proponents' Testimony:**

17:17:28 Laura Vachowski, American Association of Retired Persons (AARP) Montana

17:20:08 Kali Wicks, Blue Cross and Blue Shield of Montana (BCBSMT)
17:21:18 Brenna Love, Associated Students of the University of Montana (ASUM)
17:21:44 Dr. Gary Lusin, self
17:23:13 Jean Branscum, Montana Medical Association (MMA)

Opponents' Testimony:

17:23:51 Abigail St. Laurence, Montana Association of Naturopathic Physicians (MANP),
Montana Speech Language Hearing Association (MSHA), Montana Association
of Marriage and Family Therapists (MAMFT), Montana Association of
Acupuncture and Oriental Medicine (MAAOM)
17:26:56 Bob Olsen, Montana Hospital Association (MHA)
17:31:11 Stacey Anderson, Montana Primary Care Association (MPCA)
17:32:11 Eve Franklin, Montana Optometric Association
17:33:00 Erin McGowan, Montana Dental Association
17:33:22 Jessie Luther, Benefis Health System
17:33:51 Frank Cote, Sisters of Charity, Providence Health

Informational Testimony:

None

Questions from Committee Members and Responses:

None

Closing by Sponsor:

17:34:32 Rep. Kelker

HEARING ON HB 598

Opening Statement by Sponsor:

17:38:02 Rep. Mike Hopkins (R), HD 92, opened the hearing on HB 598, Revising
licensing and oversight entity for medical marijuana testing labs.

Proponents' Testimony:

17:40:17 Alex Gray, SD Consultants

Opponents' Testimony:

17:44:27 Keith Erwin, Fidelity Diagnostics Laboratory

Proponents' Testimony:

17:49:48 Nick Domitrovich, Department of Public Health and Human Services (DPHHS)

Opponents' Testimony:

17:50:23 Kate Cholewa, Montana Cannabis Information Association (MTCIA)

Informational Testimony:

None

Questions from Committee Members and Responses:

17:51:57 Vice Chair Pierson

17:52:16 Nick Domitrovich, DPHHS
17:53:21 Rep. Dunwell
17:54:37 Chair Lenz
17:54:56 Rep. Kelker
17:55:31 Nick Domitrovich, DPHHS
17:56:24 Rep. Kelker
17:56:58 Nick Domitrovich, DPHHS
17:58:22 Rep. Abbott
17:58:54 Kate Cholewa, MTCIA
17:59:35 Vice Chair Pierson
17:59:47 Keith Erwin, Fidelity Diagnostics Laboratory

Closing by Sponsor:

17:59:57 Rep. Hopkins

18:01:58 Recessed
18:34:23 Reconvened

EXECUTIVE ACTION ON HB 499

18:34:28 **Motion:** Rep. Buttrey moved that **HB 499 DO PASS.**

18:34:39 **Motion:** Rep. Kelker moved that **HB 499 BE AMENDED.**
EXHIBIT(huh42a07)

Discussion:

18:35:00 Sue O'Connell, Legislative Services Division (LSD)

18:36:01 **Vote:** Motion carried unanimously by voice vote.

18:36:17 **Motion/Vote:** Rep. Buttrey moved that **HB 499 DO PASS AS AMENDED.**
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.

18:37:16 **Motion/Vote:** Rep. Buttrey moved that **HB 499 BE TABLED.** Motion carried
unanimously by voice vote.

EXECUTIVE ACTION ON HB 537

18:37:32 **Motion:** Rep. Buttrey moved that **HB 537 DO PASS.**

18:37:41 **Motion/Vote:** Rep. Buttrey moved that **HB 537 BE AMENDED.** Motion carried
18-1 by voice vote with Rep. Pierson voting no.
EXHIBIT(huh42a08)

18:38:32 **Motion/Vote:** Rep. Buttrey moved that **HB 537 DO PASS AS AMENDED.**
Motion carried 12-7 by roll call vote with Rep. Abbott, Rep. Bahr, Rep. Bessette,
Rep. Dunwell, Rep. Kelker, Rep. Morigeau and Rep. Pierson voting no.

EXECUTIVE ACTION ON HB 542

18:39:47 **Motion:** Rep. Buttrey moved that **HB 542 DO PASS.**

Discussion:

18:39:54 Rep. Bessette

18:40:11 **Vote:** Motion carried 16-3 by roll call vote with Rep. Lenz, Rep. Mandeville and Rep. Usher voting no.

EXECUTIVE ACTION ON HB 544

18:41:09 **Motion:** Rep. Buttrey moved that **HB 544 DO PASS.**

18:41:22 **Motion:** Rep. Buttrey moved that **HB 544 BE AMENDED.**
EXHIBIT(huh42a09)

Discussion:

18:41:30 Chair Lenz

18:42:24 **Vote:** Motion carried 18-1 by voice vote with Rep. Pierson voting no.

18:42:48 **Motion/Vote:** Rep. Buttrey moved that **HB 544 DO PASS AS AMENDED.**
Motion carried 16-3 by roll call vote with Rep. Bessette, Rep. Mandeville and Rep. Pierson voting no.

EXECUTIVE ACTION ON HB 560

18:43:59 **Motion:** Rep. Buttrey moved that **HB 560 DO PASS.**

Discussion:

18:44:06 Rep. Kelker

18:44:28 Rep. Usher

18:44:45 **Vote:** Motion carried 18-1 by voice vote with Rep. Mandeville voting no.

EXECUTIVE ACTION ON HB 589

18:45:04 **Motion:** Rep. Buttrey moved that **HB 589 DO PASS.**

18:45:27 **Motion:** Rep. Buttrey moved that **HB 589 BE AMENDED.**
EXHIBIT(huh42a10)

18:45:35 **Motion/Vote:** Rep. Sheldon-Galloway moved that **HB 589 AMENDMENT HB058901.ASO PART ONE BE SEGREGATED FROM PART TWO AND TO ONLY VOTE ON PART 2**. Motion carried unanimously by voice vote.

Discussion:

18:46:10 Rep. Buttrey

18:46:40 Chair Lenz

18:46:49 **Vote:** Motion carried unanimously by voice vote.

18:47:07 **Motion:** Rep. Buttrey moved that **HB 589 BE AMENDED. EXHIBIT(huh42a11)**

Discussion:

18:47:19 Rep. Mandeville

18:48:12 Vice Chair Pierson

18:48:20 **Vote:** Motion carried unanimously by voice vote.

18:48:38 **Motion/Vote:** Rep. Buttrey moved that **HB 589 DO PASS AS AMENDED**. Motion carried 18-1 by roll call vote with Rep. Dunn voting no.

EXECUTIVE ACTION ON HB 595

18:49:40 **Motion/Vote:** Rep. Buttrey moved that **HB 595 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.

18:50:41 **Motion/Vote:** Rep. Buttrey moved that **HB 595 BE TABLED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 598

18:50:52 **Motion:** Rep. Buttrey moved that **HB 598 DO PASS**.

18:50:58 **Motion:** Rep. Buttrey moved that **HB 598 BE AMENDED. EXHIBIT(huh42a12)**

Discussion:

18:51:14 Rep. Mandeville

18:51:24 **Vote:** Motion carried unanimously by voice vote.

18:51:41 **Motion/Vote:** Rep. Buttrey moved that **HB 598 DO PASS AS AMENDED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 604

18:52:11 **Motion:** Rep. Buttrey moved that **HB 604 DO PASS.**

Discussion:

18:52:26 Rep. Abbott

18:52:40 **Vote:** Motion carried 10-9 by roll call vote with Rep. Buttrey, Rep. Dunn, Rep. Lenz, Rep. Mandeville, Rep. T. Moore, Rep. Ricci, Rep. W. Sales, Rep. P. Webb and Rep. Welch voting no.

EXECUTIVE ACTION ON HB 620

18:53:49 **Motion:** Rep. Buttrey moved that **HB 620 DO PASS.**

18:53:58 **Motion/Vote:** Rep. Buttrey moved that **HB 620 BE AMENDED.** Motion carried unanimously by voice vote.

EXHIBIT(huh42a13)

18:54:24 **Motion:** Rep. Buttrey moved that **HB 620 DO PASS AS AMENDED.**

18:54:33 **Substitute Motion/Vote:** Rep. Ricci made a substitute motion that **HB 620 BE TABLED.** Substitute Motion carried 10-9 by roll call vote with Rep. Abbott, Rep. Bahr, Rep. Bessette, Rep. Dunwell, Rep. Kelker, Rep. Morigeau, Rep. Pierson, Rep. W. Sales and Rep. Winter voting no.

18:55:34 Rep. Pierson

18:56:22 Vice Chair Buttrey

18:56:32 Chair Lenz

ADJOURNMENT

Adjournment: 18:59:37

Lydia Balian, Secretary

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Additional Documents:

EXHIBIT([huh42aad.pdf](#))