

## MINUTES

### MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

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

**Call to Order:** Chair David Howard, on April 10, 2019 at 3:00 PM, in Room 317 Capitol

#### ROLL CALL

**Members Present:**

Sen. David Howard, Chair (R)  
Sen. Jen Gross, Vice Chair (D)  
Sen. Cary Smith, Vice Chair (R)  
Sen. Steve Hinebauch (R)  
Sen. Bob Keenan (R)  
Sen. Sue Malek (D)  
Sen. Mary McNally (D)  
Sen. Albert Olszewski (R)  
Sen. Diane Sands (D)  
Sen. Jason D. Small (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Julie Emge, Committee Secretary  
Corina Hach, 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 555, 4/3/2019; HB 753, 4/3/2019; HB 680, 4/3/2019; HB 696, 4/3/2019

Executive Action: HB 555 - BE CONCURRED IN AS AMENDED  
HB 660 - BE CONCURRED IN AS AMENDED  
HB 696 - BE CONCURRED IN AS AMENDED  
HB 753 - BE CONCURRED IN AS AMENDED (not reported out of committee)  
HB 680 - BE CONCURRED IN

15:01:08 Sen. Keenan and Sen. Gross entered the hearing.  
15:05:15 Sen. Olszewski entered the hearing.

**HEARING ON HB 555**

**Opening Statement by Sponsor:**

15:01:12 Rep. Dennis Lenz (R), HD 53, opened the hearing on HB 555, Ensuring transparency in prior authorization.

**[EXHIBIT\(phs75a01\)](#)**

**Proponents' Testimony:**

15:05:31 Jean Branscum, CEO, Montana Medical Association

**[EXHIBIT\(phs75a02\)](#)**

15:08:51 Greg Dorrington, Montana Medical Association

**[EXHIBIT\(phs75a03\)](#)**

15:13:58 Bob Olsen, Montana Hospital Association

15:14:20 Jennifer Hensley, government relations manager, PacificSource Health Plans

15:15:22 Kendall Cotton, policy advisor, Office of the Montana State Auditor,  
Commissioner of Securities and Insurance

15:15:44 Eric Anderson, Montana Nurses Association

15:16:17 Stacey Anderson, Montana Primary Care Association

**Opponents' Testimony:**

15:16:54 Bruce Spencer, Montana Health CO-OP

15:22:15 Scott Reichner, Blue Cross Blue Shield of Montana

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

15:23:14 Sen. Gross

15:23:45 Ms. Hensley, PacificSource

15:24:46 Sen. Gross

15:25:02 Ms. Hensley

15:25:34 Sen. Gross

15:25:46 Sen. McNally

**Closing by Sponsor:**

15:26:00 Rep. Lenz

**HEARING ON HB 753**

**Opening Statement by Sponsor:**

15:27:01 Rep. Dennis Lenz (R), HD 53, opened the hearing on HB 753, Provide for investigations of retaliatory actions by Child Protective Services.

**Proponents' Testimony:**

15:30:58 Sen. Sands

15:31:16 Raye Newmeyer, private citizen

15:31:52 Keith Newmeyer, private citizen

[EXHIBIT\(phs75a04\)](#)

[EXHIBIT\(phs75a05\)](#)

15:37:03 Denise Johnson, child advocate, board member, Montana Child Protective Services

15:41:19 Rep. Rodney Garcia, HD 52

15:42:13 Deidra Lechowski-Mercado, private citizen

[EXHIBIT\(phs75a06\)](#)

15:50:59 Bob Leach, private citizen

15:54:05 Susan Carlson, private citizen

[EXHIBIT\(phs75a07\)](#)

15:56:25 Beth Brenneman, staff attorney, Disabilities Rights Montana

**Opponents' Testimony:**

15:58:13 Laura Smith, deputy director, Economic Security Services Branch manager, Department of Public Health and Human Services (DPHHS)

16:06:42 Morgan Smith, Montana Federation of Public Employees

**Informational Testimony:**

16:07:38 Dana Toole, bureau chief, The Children's Justice Bureau, Child and Family Ombudsman, Department of Justice

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

**Closing by Sponsor:**

16:08:13 Rep. Lenz

**HEARING ON HB 680**

**Opening Statement by Sponsor:**

16:13:20 Rep. Terry Moore (R), HD 54, opened the hearing on HB 680, Establishing a caseload cap on DD targeted case management services.

**Proponents' Testimony:**

16:15:02 Matt Bugni, CEO, AWARE Inc., Anaconda

16:16:57 Jackie Jones, Montana Association of Community Disability Service Providers

16:20:20 Jacquie Helt, state director, SEIU 775

16:22:48 Beth Brenneman, staff attorney, Disability Rights Montana

**Opponents' Testimony:** None

**Informational Testimony:**

16:24:24 Marie Matthews, Medicaid Operations Services Branch manager, Department of Public Health and Human Services (DPHHS)

**Questions from Committee Members and Responses:**

16:24:42 Sen. Sands  
16:25:15 Ms. Matthews, DPHHS

**Closing by Sponsor:**

16:26:14 Rep. Moore

**HEARING ON HB 696**

**Opening Statement by Sponsor:**

16:27:55 Rep. Jessica Karjala (D), HD 48, opened the hearing on HB 696, Appropriating funds for suicide prevention.

**Proponents' Testimony:**

16:29:18 Zoe Barnard, division administrator, Addictive and Mental Disorders Division, Department of Public Health and Human Services (DPHHS)

**[EXHIBIT\(phs75a08\)](#)**

16:34:56 Rep. Bridget Smith, HD 31

**[EXHIBIT\(phs75a09\)](#)**

**[EXHIBIT\(phs75a10\)](#)**

16:37:26 Rep. Rae Peppers, HD 41

16:40:14 Cinda Burd, Montana Native Vote

**[EXHIBIT\(phs75a11\)](#)**

16:40:49 Aimee Grmoljez, Billings Clinic

**[EXHIBIT\(phs75a12\)](#)**

16:41:59 Jordan Thompson, Confederated Salish and Kootenai Tribes, Flathead Nation

16:43:33 Colleen Rahn, National Alliance on Mental Illness Montana

16:45:29 Matt Furlong, vice chair, Central Service Area Authority on Mental Health

16:46:18 Roger Hagan, Montana Department of the American Legion; Officer and Enlisted Association of the National Guard

**[EXHIBIT\(phs75a13\)](#)**

16:47:01 Stacey Anderson, Montana Primary Care Association; also speaking on behalf of Beth Brenneman, Disability Rights Montana

16:47:39 Jean Branscum, CEO, Montana Medical Association

16:48:00 Rep. Maryann Dunwell, HD 84

16:48:26 Frank Smith, private citizen

16:49:36 Roger Hagan, Montana Department of the American Legion; Officer and Enlisted Association of the National Guard

**Opponents' Testimony:** None

**Informational Testimony:**

16:50:03 Colonel Greg Olson, director, Military Personnel, Montana National Guard

**Questions from Committee Members and Responses:**

16:52:22 Sen. Smith  
 16:52:47 Rep. Karjala  
 16:53:07 Sen. Smith  
 16:53:28 Rep. Karjala  
 16:54:06 Sen. Smith  
 16:54:11 Rep. Karjala  
 16:54:36 Sen. Smith  
 16:54:40 Rep. Karjala

**EXHIBIT(phs75a14)**

16:54:50 Sen. Olszewski  
 16:55:16 Ms. Barnard, DPHHS  
 16:55:27 Sen. Olszewski  
 16:55:45 Ms. Barnard  
 16:55:54 Sen. Olszewski  
 16:56:02 Sen. Keenan  
 16:56:50 Ms. Barnard  
 16:57:48 Sen. Keenan

**Closing by Sponsor:**

16:59:10 Rep. Karjala  
  
 17:01:21 Brief Recess  
 17:14:40 Reconvene

**EXECUTIVE ACTION ON HB 555**

17:15:15 **Motion:** Sen. C. Smith moved that **HB 555 BE CONCURRED IN.**

17:15:26 **Motion:** Sen. Olszewski moved that **HB 555 BE AMENDED.**

**EXHIBIT(phs75a15)**

**Discussion:**

17:15:35 Sen. Olszewski  
 17:16:36 Sen. Sands  
 17:16:50 Sen. Olszewski  
 17:17:47 Sen. Sands  
 17:17:50 Sen. Olszewski  
 17:17:52 Chair Howard

17:17:55 **Vote:** Motion carried unanimously by voice vote.

17:18:02 **Motion/Vote:** Sen. C. Smith moved that **HB 555 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Olszewski will carry the bill.

**Discussion:**

17:18:25 Sen. Gross  
 17:18:30 Chair Howard

17:18:35 Sen. Olszewski

**EXECUTIVE ACTION ON HB 660**

17:18:44 **Motion:** Sen. C. Smith moved that **HB 660 BE CONCURRED IN.**

17:19:02 **Motion:** Sen. Malek moved that **HB 660 BE AMENDED.**  
**EXHIBIT(phs75a16)**

**Discussion:**

17:19:35 Chair Howard  
17:19:39 Sen. Olszewski  
17:19:42 Sen. Smith  
17:19:47 Cori Hach, staff attorney, Legislative Services Division (LSD)  
17:20:17 Chair Howard  
17:20:21 Sen. Gross  
17:20:26 Sen. McNally

17:20:35 **Vote:** Motion carried unanimously by voice vote.

17:20:44 **Motion:** Sen. Malek moved that **HB 660 BE AMENDED.**  
**EXHIBIT(phs75a17)**

**Discussion:**

17:21:44 Ms. Hach, LSD  
17:21:50 Sen. Malek  
17:21:56 Sen. Gross  
17:22:25 Sen. Malek  
17:23:00 Sen. Sands  
17:23:40 Sen. Gross  
17:23:43 Chair Howard  
17:23:44 Sen. Gross  
17:23:45 Chair Howard  
17:23:47 Sen. Gross  
17:23:51 Chair Howard  
17:23:53 Sen. Gross  
17:24:14 Sen. Sands  
17:24:20 Sen. Gross  
17:24:52 Sen. Malek  
17:24:54 Ms. Hach  
17:25:51 Sen. Gross  
17:25:56 Sen. Hinebauch  
17:26:23 Sen. Malek  
17:26:36 Sen. Hinebauch  
17:26:54 Sen. Gross  
17:27:13 Chair Howard  
17:27:21 Sen. Sands  
17:27:52 Chair Howard  
17:28:10 Sen. Sands  
17:28:20 Chair Howard

17:28:32 Sen. Olszewski  
17:28:38 Sen. Malek  
17:29:05 Sen. Olszewski  
17:29:33 Sen. Gross  
17:29:36 Sen. Olszewski

17:30:16 **Substitute Motion/Vote:** Sen. Sands made a Substitute Motion to **SEGREGATE NUMBER 2(6)(d) FROM AMENDMENT HB066004.aso.** Substitute Motion carried unanimously by voice vote.

16:30:44 Sen. Sands

17:30:56 **Motion/Vote:** Sen. Malek moved that **HB 660 BE AMENDED WITH AMENDMENT HB066004.aso AS SEGREGATED .**

17:31:46 **Motion:** Sen. C. Smith moved that **HB 660 BE CONCURRED IN AS AMENDED.**

**Discussion:**

17:31:57 Sen. Gross  
17:32:33 Sen. Sands  
17:33:06 Sen. Malek  
17:33:45 Sen. Sands  
17:34:15 Chair Howard

17:34:40 **Vote:** Motion carried 6-4 by voice vote with Sen. Hinebauch, Sen. Howard, Sen. Keenan and Sen. Olszewski voting no. Sen. McClafferty will carry the bill.

**Discussion:**

17:34:55 Chair Howard  
17:35:21 Sen. Gross  
17:35:25 Chair Howard  
17:35:27 Sen. Malek

**EXECUTIVE ACTION ON HB 696**

17:35:35 **Motion:** Sen. C. Smith moved that **HB 696 BE CONCURRED IN.**

**Discussion:**

17:35:49 Sen. Malek  
17:35:51 Chair Howard  
17:35:57 Sen. Olszewski  
17:36:01 Sen. McNally  
17:36:06 Sen. Sands  
17:36:11 Chair Howard  
17:36:28 Sen. Gross  
17:36:32 Chair Howard  
17:36:48 Sen. Keenan  
17:36:54 Sen. Malek

17:37:00 **Motion:** Sen. C. Smith moved that **HB 696 BE AMENDED.**  
**EXHIBIT**(phs75a18)

**Discussion:**

17:37:07 Sen. Olszewski  
17:37:14 Sen. Smith  
17:37:22 Sen. Olszewski  
17:37:26 Chair Howard  
17:37:36 Sen. Olszewski

17:38:17 **Vote:** Motion carried unanimously by voice vote.

17:38:25 **Motion:** Sen. C. Smith moved that **HB 696 BE CONCURRED IN AS AMENDED.**

**Discussion:**

17:38:35 Sen. Malek  
17:39:44 Sen. Olszewski  
17:40:19 Sen. Keenan

17:41:18 **Vote:** Motion carried 9-1 by voice vote with Sen. Hinebauch voting no. Sen. Malek will carry the bill.

**Discussion:**

17:41:33 Sen. Malek  
17:41:39 Sen. Olszewski

**EXECUTIVE ACTION ON HB 753**

17:41:55 **Motion:** Sen. C. Smith moved that **HB 753 BE CONCURRED IN.**

**Discussion:**

17:42:17 Cori Hach, staff attorney, Legislative Services Division  
17:43:02 Chair Howard

17:43:06 **Motion/Vote:** Sen. C. Smith moved that **HB 753 BE AMENDED WITH A CONCEPTUAL AMENDMENT.** Motion carried unanimously by voice vote.

17:43:22 **Motion:** Sen. C. Smith moved that **HB 753 BE CONCURRED IN AS AMENDED.**

**Discussion:**

17:43:39 Sen. McNally  
17:45:11 Sen. Malek  
17:47:35 Sen. Gross  
17:48:02 Sen. McNally  
17:48:05 Sen. Olszewski  
17:49:21 Chair Howard  
17:49:24 Sen. McNally  
17:49:36 Sen. Olszewski

17:49:48 Sen. Smith  
17:50:48 Chair Howard  
17:51:20 Sen. Sands  
17:52:04 Sen. Smith  
17:52:15 Chair Howard  
17:52:29 Sen. Sands  
17:52:34 Chair Howard  
17:52:41 Sen. Sands  
17:52:43 Sen. McNally  
17:52:56 Sen. Keenan

17:53:15 **Vote:** Motion carried 6-4 by roll call vote with Sen. Gross, Sen. Malek, Sen. McNally and Sen. Sands voting no. Sen. Smith will carry the bill. (Bill was not reported out of committee. Executive action was taken on 04/12/2019.

**Discussion:**

17:53:56 Sen. Malek  
17:53:03 Chair Howard

**EXECUTIVE ACTION ON HB 680**

17:54:35 **Motion:** Sen. C. Smith moved that **HB 680 BE CONCURRED IN.**

**Discussion:**

17:55:00 Sen. Sands

17:55:50 **Vote:** Motion carried unanimously by voice vote. Sen. Sands will carry the bill.

**Discussion:**

17:56:00 Chair Howard  
17:56:35 Sen. Gross  
17:56:52 Chair Howard  
17:57:06 Sen. Keenan  
17:58:26 Sen. Olszewski  
17:59:16 Sen. Gross  
18:00:30 Chair Howard  
18:01:57 Sen. Malek  
18:02:50 Sen. Hinebauch  
18:03:23 Sen. Gross  
18:04:00 Sen. Sands  
18:04:22 Chair Howard

**ADJOURNMENT**

Adjournment: 6:04 PM

---

Julie Emge, Secretary

je

Additional Documents:

**EXHIBIT([phs75aad.pdf](#))**