



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2025 Biennium

Bill information:

HB0101 - Revise licensing reciprocity for behavioral health care licensees (Gillette, Jane)

Status: As Introduced

- Significant Local Gov Impact
 Needs to be included in HB 2
 Technical Concerns
 Included in the Executive Budget
 Significant Long-Term Impacts
 Dedicated Revenue Form Attached

FISCAL SUMMARY

	<u>FY 2024</u> <u>Difference</u>	<u>FY 2025</u> <u>Difference</u>	<u>FY 2026</u> <u>Difference</u>	<u>FY 2027</u> <u>Difference</u>
Expenditures:				
General Fund	\$0	\$0	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Description of fiscal impact: HB 101 provides licensing reciprocity provisions for out-of-state practitioners licensed by the Board of Behavioral Health with the Department of Labor (DLI). This bill has no fiscal impact to the state.

FISCAL ANALYSIS

Assumptions:**Labor**

1. HB 101 has no fiscal impact to DLI or the Board of Behavioral Health, (BBH), but there are technical notes regarding the bill language.

Department of Health and Human Services (DPHHS)

2. The Montana Medicaid program currently has over 2,300 enrolled behavioral health providers who provide the same services as the practitioners outlined in HB 101. DPHHS assumes HB 101 will have a nominal impact on the total number of enrolled Medicaid behavior health providers. Due to the current Public Health Emergency (PHE), the department requested, and CMS approved, the ability for out of state licensed providers to provide services to Montana Medicaid members. Therefore, DPHHS assumes that any increase in provider enrollment will not result in increase in members served or total utilization of services.

Technical Notes:

1. The reciprocity requirements do not align with reciprocity requirements of 37-1-304, MCA creating unique provisions for one licensing board, compared with the remaining 31.
2. The legislation will need coordinating instructions with LC 393 and 396, which address licensure and reciprocity relating to BBH.
3. Subsection (1) places an extra requirement on licensure by requiring a determination of residency prior to granting a license. This is something not currently determined.
4. Subsections (1)(b)-(c) are ambiguous in that they imply, but do not state, that the licensure at issue is of the type specified in subsections (1)(a).
5. Subsections (1)(d) -(e) appear to duplicate subsections (1)(a), in that the sections question whether an individual has completed licensure requirements, while (1)(a) requires individuals be licensed.
6. Subsection (2) are duplicative of sections of code which require licensure and place jurisdiction within BBH.
7. Subsections (3) require Montana to grant licensure without verification prior to the start of practice information about the licensee.
8. Subsections (5) may cause conflict with interstate compacts, if adopted, which typically require a home state licensure to be recognized as a license to engage in the practice.
9. The legislation does not permit the department, or BBH, to engage in any analysis as to the similarity between license requirements of other states as compared with licensure in Montana, meaning licensure may be required for an individual from another state who does not meet minimum requirements for licensure in Montana.

Sponsor's Initials

Date

Budget Director's Initials

Date



1-3-23