

MINUTES

MONTANA SENATE

68th LEGISLATURE - REGULAR SESSION

COMMITTEE ON (S) PUBLIC HEALTH, WELFARE AND SAFETY

Call to Order: Chair Tom McGillvray-R, on February 27, 2023 at 3:30 PM, in 317

ROLL CALL

Members Present: Sen. Tom McGillvray, Chair (R)
Sen. Dennis Lenz, Vice Chair (R)
Sen. Becky Beard (R)
Sen. Steve Hinebauch (R)
Sen. Susan Webber (D)

Members Excused: Sen. Carl Glimm (R)
Sen. Jen Gross (D)
Sen. Kathy Kelker (D)
Sen. Brad Molnar (R)

Staff Present: Trudy Burke, Secretary
Madelyn Krezowski, Attorney

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:

SB 450 02/24/2023
SB 458 02/24/2023
SB 465 02/24/2023
SB 478 02/24/2023

Executive Action:

SB 198 DO PASS AS AMENDED
SB 296 DO PASS AS AMENDED
SB 308 DO PASS AS AMENDED
SB 334 DO PASS
SB 352 DO PASS AS AMENDED
SB 364 DO PASS AS AMENDED
SB 422 DO PASS
SB 425 DO PASS
SB 450 DO PASS
SB 458 DO PASS AS AMENDED
SB 465 DO PASS

SB 478 TO TABLE

15:31:23 Chair McGillvray has left
15:32:01 Sen. Molnar has arrived
15:33:14 Sen. Gross has arrived

HEARING ON SB 465 - Require implementation of medicaid community engagement requirements

Opening Statement:

15:31:52 Sen. Jeremy Trebas (R), SD 26, opened the hearing on SB 465, Require implementation of medicaid community engagement requirements.

Proponent Testimony:

None

Opponent Testimony:

15:35:56 Stacy Anderson, Montana Primary Care Association (MPCA)
15:38:06 Hannah Pate, Montana Women Vote
15:39:55 Lauren Wilson, American Academy of Pediatrics, Montana Chapter (AAP)
15:40:57 Shelby DeMars, Rocky Boy Health Clinic
15:41:37 Rich Janssen, self
15:42:35 Jason Smith, Montana Consortium for Urban Indian Health
15:43:27 Jackie Semmens, Montana Budget and Policy Center

Informational Witness Testimony:

15:45:44 Mike Randol, Department of Public Health and Human Services (DPHHS)
15:45:54 Erica Johnston, Health and Human Services (DPHHS)

Questions from Committee:

15:46:33 Sen. Jen Gross
15:47:15 Sen. Jeremy Trebas-R
15:48:17 Sen. Jen Gross

15:48:49 Stacy Anderson, MPCA
15:50:08 Sen. Jen Gross
15:50:09 Madelyn Krezowski
15:50:11 Sen. Jen Gross
15:50:35 Sen. Jeremy Trebas-R
15:50:52 Sen. Jen Gross
15:51:04 Sen. Susan Webber
15:52:13 Sen. Jeremy Trebas-R
15:52:23 Sen. Steve Hinebauch
15:54:32 Stacy Anderson, MPCA
15:55:00 Sen. Jen Gross
15:56:57 Sen. Jeremy Trebas-R
15:57:32 Sen. Steve Hinebauch
15:57:49 Sen. Jeremy Trebas-R
15:58:15 Sen. Steve Hinebauch
15:58:27 Sen. Susan Webber
15:59:01 Sen. Jeremy Trebas-R
15:59:53 Sen. Susan Webber
16:03:08 Mike Randol, DPHHS

Closing Statement:

16:03:48 Sen. Jeremy Trebas (R), SD 26, closed the hearing on SB 465.

HEARING ON SB 450 - Personal Freedom /Right of Conscience Act related to immunizations and drugs

Opening Statement:

16:04:38 Sen. Daniel Emrich (R), SD 11, opened the hearing on SB 450, Personal Freedom /Right of Conscience Act related to immunizations and drugs.

Proponent Testimony:

16:07:31 Rebecca Schwartz, self
16:08:39 Susie Denjain, self
16:09:13 Teri Barney, self
16:09:52 Cathy Carlson, self
16:11:16 Robyn Mohs, self
16:12:26 Amanda Gallagher, self
16:14:55 Jessica Kirkendall, self
16:16:08 Chelsea Culpon, self

Opponent Testimony:

16:18:13 Lauren Wilson, American Academy of Pediatrics, Montana Chapter (AAP)
16:21:16 Pam Hanna, Jefferson County Public Health and Confluence
16:23:22 Katelyn Jensen, Zero to Five Montana
16:24:49 Sen. Carl Glimm joined the meeting.
16:25:06 Kiely Lammers, Montana Families for Vaccines
16:27:19 Kathryn McMahon, self
16:29:01 Sheryl Hutzenbiler, Munchkin Land and Montana Advocates for Children
16:32:14 Kristin Anderson, Montana Medical Association
16:34:13 BriAnne Moline, Wild Wonders Early Learning Program

Informational Witness Testimony:

16:37:51 Paula Stannard, Department of Public Health and Human Services (DPHHS)
16:38:18 Quinn O'Connor, Department of Labor and Industry (DLI)

Questions from Committee:

16:37:16 Sen. Becky Beard

16:37:46	Sen. Daniel Emrich-R
16:38:57	Sen. Becky Beard
16:39:02	Sen. Daniel Emrich-R
16:39:49	Sen. Susan Webber
16:43:07	Sen. Daniel Emrich-R
16:43:42	Sen. Steve Hinebauch
16:44:07	Lauren Wilson, AAP
16:44:55	Sen. Jen Gross
16:45:37	Paula Stannard, DPHHS
16:45:54	Quinn O'Connor, DLI
16:46:53	Sen. Jen Gross
16:48:54	Quinn O'Connor, DLI
16:49:20	Vice Chair Dennis Lenz
16:50:03	Lauren Wilson, AAP
16:50:57	Sen. Steve Hinebauch
16:51:16	Lauren Wilson, AAP
16:51:43	Sen. Susan Webber
16:52:51	Lauren Wilson, AAP
16:53:19	Vice Chair Dennis Lenz
16:53:21	Quinn O'Connor, DLI
16:53:34	Chair Tom McGillvray
16:55:29	Sen. Daniel Emrich-R
16:56:12	Chair Tom McGillvray
16:57:50	Lauren Wilson, AAP

16:58:17 Chair Tom McGillvray
16:58:32 Lauren Wilson, AAP
16:58:57 Sen. Jen Gross
16:59:49 Vice Chair Dennis Lenz

Closing Statement:

16:59:55 Sen. Daniel Emrich (R), SD 11, closed the hearing on SB 450.

HEARING ON SB 478 - Establish autism facilities grant program

Opening Statement:

17:08:06 Sen. Shane Morigeau (D), SD 95, opened the hearing on SB 478, Establish autism facilities grant program.

Proponent Testimony:

17:12:14 Rich Janssen, self
17:19:05 Patrick Yawakie, Blackfeet Tribe
17:19:46 Lauren Wilson, American Academy of Pediatrics, Montana Chapter (AAP)
17:20:13 June Hermanson, self
17:24:19 Major Robinson, self
17:25:32 Jackie Mohler, Family Outreach
17:26:54 Terri Barney, self
17:27:21 Casey Schreiner, Alluvion Health
17:30:15 Dawn Secord, self

Opponent Testimony:

None

Informational Witness Testimony:

17:32:59 William Evo, Department of Public Health and Human Services (DPHHS)
17:33:11 Lindsey Carter, Department of Public Health and Human Services (DPHHS)

Questions from Committee:

17:34:25 Sen. Brad Molnar
17:35:41 Lindsey Carter, DPHHS
17:36:02 Sen. Brad Molnar
17:36:35 William Evo, DPHHS
17:37:26 Sen. Becky Beard
17:38:19 Sen. Shane Morigeau-D
17:41:42 Vice Chair Dennis Lenz
17:42:40 William Evo, DPHHS
17:43:20 Lindsey Carter, DPHHS
17:44:33 Vice Chair Dennis Lenz
17:44:34 Lindsey Carter, DPHHS
17:45:09 Vice Chair Dennis Lenz
17:46:26 Sen. Shane Morigeau-D
17:46:45 Chair Tom McGillvray
17:48:10 Sen. Shane Morigeau-D
17:50:11 Chair Tom McGillvray
17:50:14 Rich Janssen, self

Closing Statement:

17:52:32 Sen. Shane Morigeau (D), SD 95, closed the hearing on SB 478.

17:54:57 Recessed

18:03:58 Reconvened

HEARING ON SB 458 - Define sex in Montana law

Opening Statement:

18:04:52 Sen. Carl Glimm (R), SD 6, opened the hearing on SB 458, Define sex in Montana law.

Proponent Testimony:

18:07:33 Shaun Gillis, self

18:10:05 Jay Richards, self

18:11:53 Jeff Laszloffy, Montana Family Foundation

[EXHIBIT\(230227PHSa1\)](#)

18:16:37 Pamela Raney, self

18:18:12 Terri Barney, self

18:19:25 Cathy Carlson, self

18:21:11 Chiko Olsen, self

Opponent Testimony:

18:22:36 SK Rossi, Human Rights Campaign

18:27:51 Lauren Wilson, American Academy of Pediatrics, Montana Chapter (AAP)

18:30:27 Ezekiel Cork, self

18:33:39 Kathryn McMahon, self

18:37:37 Dandilion Cloverdale, self

18:39:23 Anna Louise Peterson, self

18:41:36 Kestrel Keller, self

18:45:19 Hannah Pate, self

18:46:34 Elizabeth Bowles, Associated Students of University of Montana (ASUM)

18:48:38 Benjamin Lacayo, self

18:51:17 Robin Turner, Montana Coalition Against Domestic and Sexual Violence (MCADSV), and American Civil Liberties Union (ACLU), and on behalf of Planned Parenthood

18:53:16 Major Robinson, self

18:54:55 Delalah Robinson, self

18:57:21 Ashlee Cornelius, self

18:58:55 Ray Gordon, self

18:59:56 Angel Banks, self

19:01:20 Nan Stockmann, self

19:02:11 Kaegan Bonstein, self

19:03:16 Chloe Runs Behind, Forward Montana

19:04:32 Kasey Hugs, self

19:06:07 Danielle DeFlorio, self

19:08:51 Rep. Zooey Zephyr, self

19:10:34 Peri Kemmick, self

19:10:47 Stephanie McDowell, Bridger Care of Bozeman

19:11:10 Greg Lynch, self

19:11:29 Julia Maxon, Montana Women Vote

19:11:43 Izzy Milch, self

19:12:00 Jana Richter, self

19:12:17 Sem Jumper, self

19:12:42 Katie Jacquet, self

19:13:08 Hillary-Anne Crosby, self

19:13:31 Caspen Black, self

19:13:52 Dave Chadwick, Montana Human Rights Network

19:14:23 Allison Goodnight, self

19:14:58 Caitlin Piserchia, Montana Chapter of the Sierra Club

19:15:32 Gwen Nicholson, self
19:15:55 Gracie Mumbauer-Pisano, self
19:16:51 Pepper Henryon, self
19:17:14 Kiersten Iwai, self
19:17:30 Adrian Jawort, self
19:17:45 Jan Strout, Montana Now
19:18:25 Nora Rector, self

Informational Witness Testimony:

None

Questions from Committee:

19:19:33 Chair Tom McGillvray
19:20:04 Jay Richards
19:21:44 Sen. Jen Gross
19:22:16 Lauren Wilson, AAP
19:23:44 Chair Tom McGillvray
19:24:19 Elizabeth Bowles, ASUM
19:25:05 Chair Tom McGillvray
19:25:23 Sen. Jen Gross
19:26:02 Elizabeth Bowles, ASUM
19:27:01 Sen. Brad Molnar
19:29:58 Sen. Carl Glimm-R
19:30:18 Shaun Gillis
19:31:01 Sen. Brad Molnar
19:31:17 Shaun Gillis
19:33:17 Sen. Jen Gross

19:33:37 Rep. Zooey Zephyr

19:34:30 Sen. Pat Flowers

19:39:07 Sen. Carl Glimm-R

Closing Statement:

19:40:09 Sen. Carl Glimm (R), SD 6, closed the hearing on SB 458.

19:40:10 Sen. Webber has left

19:45:49 Recessed

20:03:33 Reconvened

**EXECUTIVE ACTION ON SB 198 - Revise laws related to behavioral health peer support
specialists**

20:05:01 **Motion:** Sen. Dennis Lenz moved that **SB 198 DO PASS.**

20:05:14 **Motion:** Sen. Jen Gross moved that **SB 198 BE AMENDED.**

Discussion:

20:05:35 Sen. Jen Gross

20:07:32 Sen. Brad Molnar

20:09:00 Vice Chair Dennis Lenz

20:09:14 Sen. Jen Gross

20:10:02 Vice Chair Dennis Lenz

20:11:06 Sen. Jen Gross

20:12:13 Vice Chair Dennis Lenz

20:12:53 Sen. Jen Gross

20:13:17 Chair Tom McGillvray

20:13:38 Sen. Jen Gross

20:14:49 Vice Chair Dennis Lenz

20:15:39 Sen. Jen Gross

20:05:14 **Vote:** Motion carried 6 - 3 by roll call vote with Sen. Beard, Sen. Glimm, Sen. Lenz, voting no.

20:16:33 **Motion:** Sen. Dennis Lenz moved that **SB 198 DO PASS AS AMENDED.**

Discussion:

20:16:46 Sen. Steve Hinebauch

20:17:16 Sen. Carl Glimm

20:18:57 Sen. Jen Gross

20:19:35 Sen. Brad Molnar

20:20:46 Sen. Becky Beard

20:21:53 Sen. Jen Gross

20:23:09 Chair Tom McGillvray

20:16:33 **Vote:** Motion carried 6 - 3 by roll call vote with Sen. Beard, Sen. Hinebauch, Sen. Lenz, voting no.

EXECUTIVE ACTION ON SB 296 - Revise nursing home and/or assisted living funding

20:24:37 **Motion:** Sen. Dennis Lenz moved that **SB 296 DO PASS.**

20:24:41 **Motion:** Sen. Becky Beard moved that **SB 296 BE AMENDED.**

Discussion:

20:25:59 Sen. Becky Beard

[EXHIBIT\(230227PHSa2\)](#)

20:26:56 Sen. Steve Hinebauch

20:27:29 Chair Tom McGillvray

20:27:34 Sen. Gross

20:28:08 Sen. Becky Beard

20:28:46 Sen. Glimm

20:29:14 Sen. Becky Beard

20:24:41 **Vote:** Motion carried 6 - 3 by voice vote with Sen. Gross, Sen. Kelker, Sen. Webber, voting no.
Sen. Kelker, Sen. Webber, By Proxy

20:30:31 **Motion:** Sen. Becky Beard moved that **SB 296 BE AMENDED.**

Discussion:

20:30:45 Vice Chair Dennis Lenz

20:31:01 Sen. Becky Beard

20:31:31 Sen. Steve Hinebauch
20:32:31 Sen. Carl Glimm
20:33:05 Sen. Becky Beard
20:33:57 Sen. Carl Glimm
20:34:15 Vice Chair Dennis Lenz
20:34:52 Sen. Carl Glimm
20:35:07 Sen. Brad Molnar
20:35:47 Sen. Carl Glimm
20:37:19 Madelyn Krezowski
20:38:07 Sen. Jen Gross
20:38:12 Sen. Becky Beard
20:38:43 Vice Chair Dennis Lenz
20:30:31 **Vote:** Motion carried 6 - 3 by roll call vote with Sen. Glimm, Sen. Lenz, Sen. McGillvray, voting no.
20:40:05 **Motion:** Sen. Dennis Lenz moved that **SB 296 DO PASS AS AMENDED.**
20:40:05 **Vote:** Motion carried 6 - 3 by roll call vote with Sen. Glimm, Sen. Hinebauch, Sen. McGillvray, voting no.

EXECUTIVE ACTION ON SB 308 - Establish patient visitation rights

20:41:35 **Motion:** Sen. Dennis Lenz moved that **SB 308 DO PASS.**
Discussion:
20:41:45 Madelyn Krezowski
20:41:41 **Motion:** Sen. Dennis Lenz moved that **SB 308 BE AMENDED.**
Discussion:
20:42:15 Sen. Jen Gross
20:41:41 **Vote:** Motion carried 6 - 3 by voice vote with Sen. Gross, Sen. Kelker, Sen. Webber, voting no.
Sen. Kelker, Sen. Webber, By Proxy
20:43:19 **Motion:** Sen. Dennis Lenz moved that **SB 308 DO PASS AS AMENDED.**
20:43:19 **Vote:** Motion carried 6 - 3 by voice vote with Sen. Gross, Sen. Kelker, Sen. Webber, voting no.
Sen. Kelker, Sen. Webber, By Proxy

EXECUTIVE ACTION ON SB 334 - Revise petroleum storage tank cleanup definitions

20:44:00 **Motion:** Sen. Dennis Lenz moved that **SB 334 DO PASS.**

Discussion:

20:44:14 Sen. Brad Molnar

20:44:27 Chair Tom McGillvray

20:44:56 Sen. Steve Hinebauch

20:45:12 Sen. Jen Gross

20:44:00 **Vote:** Motion carried 6 - 3 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Webber, voting no.
Sen. Kelker, Sen. Webber, By Proxy

EXECUTIVE ACTION ON SB 352 - Create task force to modify and improve the child protective services system

20:47:17 **Motion:** Sen. Dennis Lenz moved that **SB 352 DO PASS.**

Discussion:

20:47:27 Vice Chair Dennis Lenz

20:48:21 **Motion:** Sen. Dennis Lenz moved that **SB 352 BE AMENDED.**

Discussion:

20:48:37 Sen. Jen Gross

20:48:21 **Vote:** Motion carried 8 - 1 by voice vote with Sen. Hinebauch, voting no.

20:49:19 **Motion:** Sen. Dennis Lenz moved that **SB 352 DO PASS AS AMENDED.**

20:49:19 **Vote:** Motion carried 7 - 2 by voice vote with Sen. Glimm, Sen. Hinebauch, voting no.

EXECUTIVE ACTION ON SB 364 - Establish limits on hospital-related charges

20:50:27 **Motion:** Sen. Dennis Lenz moved that **SB 364 DO PASS.**

20:50:37 **Motion:** Sen. Dennis Lenz moved that **SB 364 BE AMENDED.**

Discussion:

20:51:15 Madelyn Krezowski

20:52:27 Sen. Jen Gross

20:50:37 **Vote:** Motion carried 6 - 3 by voice vote with Sen. Gross, Sen. Kelker, Sen. Webber, voting no.
Sen. Kelker, Sen. Webber, By Proxy

20:53:59 **Motion:** Sen. Dennis Lenz moved that **SB 364 DO PASS AS AMENDED.**

Discussion:

20:54:06 Chair Tom McGillvray

20:53:59 **Vote:** Motion carried 5 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Lenz, Sen. Webber, voting no.
Sen. Kelker, Sen. Webber, By Proxy

EXECUTIVE ACTION ON SB 422 - Expand eligibility for the Right to Try Act

20:55:39 **Motion:** Sen. Dennis Lenz moved that **SB 422 DO PASS.**

20:55:39 **Vote:** Motion carried 6 - 3 by voice vote with Sen. Gross, Sen. Kelker, Sen. Webber, voting no.
Sen. Kelker, Sen. Webber, By Proxy

EXECUTIVE ACTION ON SB 425 - Revise addiction counselor licensing laws

20:56:35 **Motion:** Sen. Dennis Lenz moved that **SB 425 DO PASS.**

Discussion:

20:56:52 Sen. Jen Gross

20:57:22 Sen. Carl Glimm

20:58:46 Sen. Brad Molnar

20:56:35 **Vote:** Motion carried 6 - 3 by roll call vote with Sen. Glimm, Sen. Hinebauch, Sen. Molnar, voting no.

EXECUTIVE ACTION ON SB 450 - Personal Freedom /Right of Conscience Act related to immunizations and drugs

20:59:53 **Motion:** Sen. Dennis Lenz moved that **SB 450 DO PASS.**

20:59:53 **Vote:** Motion carried 6 - 3 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Webber, voting no.
Sen. Kelker, Sen. Webber, By Proxy

EXECUTIVE ACTION ON SB 458 - Define sex in Montana law

21:00:48 **Motion:** Sen. Dennis Lenz moved that **SB 458 DO PASS.**

Discussion:

21:00:52 Chair Tom McGillvray

21:01:22 Madelyn Krezowski

21:01:34 Sen. Jen Gross

21:01:51 **Motion:** Sen. Dennis Lenz moved that **SB 458 BE AMENDED.**

21:01:51 **Vote:** Motion carried 6 - 3 by voice vote with Sen. Gross, Sen. Kelker, Sen. Webber, voting no.
Sen. Kelker, Sen. Webber, By Proxy

21:02:29 **Motion:** Sen. Dennis Lenz moved that **SB 458 DO PASS AS AMENDED.**

Discussion:

21:02:42 Sen. Jen Gross

21:03:52 Chair Tom McGillvray

21:04:04 Sen. Brad Molnar

21:05:25 Sen. Carl Glimm

21:06:47 Sen, Brad Molnar

21:07:22 Sen. Jen Gross

21:02:29 **Vote:** Motion carried 6 - 3 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Webber, voting no.
Sen. Kelker, Sen. Webber, By Proxy

EXECUTIVE ACTION ON SB 465 - Require implementation of medicaid community engagement requirements

21:08:26 **Motion:** Sen. Dennis Lenz moved that **SB 465 DO PASS.**

21:08:26 **Vote:** Motion carried 6 - 3 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Webber, voting no.
Sen. Kelker, Sen. Webber, By Proxy

EXECUTIVE ACTION ON SB 478 - Establish autism facilities grant program

21:09:24 **Motion:** Sen. Dennis Lenz moved that **SB 478 DO PASS.**

Discussion:

21:09:41 Sen. Jen Gross

21:10:43 Sen. Becky Beard

21:11:18 Sen. Carl Glimm
21:12:19 Sen. Jen Gross
21:13:03 Sen. Carl Glimm
21:14:23 Sen. Jen Gross
21:16:21 Madelyn Krezowski
21:16:27 Sen. Brad Molnar
21:18:57 Vice Chair Dennis Lenz
21:09:24 **Vote:** Motion failed 5 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Molnar, Sen. Webber, voting yes.
Sen. Kelker, Sen. Webber, By Proxy
21:22:01 **Motion:** Sen. Dennis Lenz moved that **SB 478 TO TABLE.**
21:22:01 **Vote:** Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 21:22:36

Trudy Burke, Secretary

Additional Documents: [EXHIBIT\(230227PHSaad\)](#)