

Proposal for Legislation -- 2011
Re: Rate Commission Membership

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1. What is the problem or issue?

Montana Code Annotated § 53-10-202(1)(c) currently provides that two employees of the Department of Public Health and Human Services be included as members on the 15-member advisory on provider rates and services. The role of the provider rate commission has evolved to include recommending budget increases for reimbursement rates for specific programs. The department has its own established process for determining budget recommendations and moving them forward, including public forums for interested parties, providers and consumers to offer input. Including two department employees in the provider rate commission may make it appear that the department has an additional and unnecessary opportunity to recommend increases for specific services and programs in the budget process, and may it appear the department employees are lobbying.

2. What do you want the legislation to do?

The intended purpose is to amend Montana Code Annotated § 53-10-202 to reduce the member of the provider rate commission from 15 to 13 by removing the requirement in subsection (1)(c) that two employees of the Department of Public Health and Human Services serve on the commission.

3. If possible, please list the MCA (Montana Code Annotated) sections that would need to be amended.

Montana Code Annotated 53-10-202(1) would be amended to change the maximum number of individuals serving on the commission from 15 to 13. The reference to "two employees of the department" in current subsection (1)(c) would be deleted, thereby changing current subsections (1)(d) to (1)(c), (1)(e) to (1)(d), (1)(f) to (1)(e) and (1)(g) to (1)(f).

4. If the proposed change requires additional funding, what funding sources do you propose?

No additional funding would be needed for this proposed change.

5. Has similar legislation been requested in the past, been introduced in another state, or provided as a model act? If so, please provide a citation, reference, or point of contact.

No.