



## Children, Families, Health, and Human Services Interim Committee

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### 63rd Montana Legislature

#### SENATE MEMBERS

DAVID WANZENRIED--Chair  
TERRY MURPHY  
ROGER WEBB  
JONATHAN WINDY BOY

#### HOUSE MEMBERS

RON EHLI--Vice Chair  
CAROLYN PEASE-LOPEZ  
SCOTT REICHNER  
CASEY SCHREINER

#### COMMITTEE STAFF

SUE O'CONNELL, Lead Staff  
ALEXIS SANDRU, Staff Attorney  
FONG HOM, Secretary

# MINUTES LOG

## Room 152, Capitol Building

### March 13-14, 2014

March 13, 2014

Please note: These minutes provide abbreviated information about committee discussion, public testimony, action taken, and other activities. To the left of each section in these minutes is a time designation indicating the approximate amount of time in hours, minutes, and seconds that has elapsed since the start of the meeting. This time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <http://leg.mt.gov>. On the left-side menu of the home page, select *Committees*, then *Interim*. Once on the page for *Interim Committees*, scroll down to the appropriate committee. The written minutes summary, along with the audio and video recordings, are listed by meeting date on the interim committee's web page.

Hard copies of the exhibits for this meeting are available upon request. Legislative Council policy requires a charge of 15 cents a page for copies of the document.

#### **COMMITTEE MEMBERS PRESENT**

SEN. DAVID WANZENRIED, Chair  
REP. RON EHLI, Vice Chair

SEN. TERRY MURPHY  
SEN. ROGER WEBB  
SEN. JONATHAN WINDY BOY

REP. CAROLYN PEASE-LOPEZ  
REP. CASEY SCHREINER

#### **COMMITTEE MEMBERS EXCUSED**

REP. SCOTT REICHNER

#### **STAFF PRESENT**

SUE O'CONNELL, Lead Staff  
ALEXIS SANDRU, Staff Attorney  
FONG HOM, Secretary

## **AGENDA & VISITORS' LIST**

Agenda ([Attachment 1](#))

Visitors' list ([Attachment 2](#))

### **COMMITTEE ACTION**

- Members of the committee requested that staff draft a bill based on the Washington state model for opioid dosing guidelines.

### **CALL TO ORDER AND ROLL CALL**

- 00:00:02 Sen. Wanzenried called the meeting to order at 10:00 a.m. The secretary called roll. Rep. Reichner was excused. ([Attachment 3](#))
- 00:01:28 Sen. Wanzenried gave an overview of the agenda.

### **SJR 20 STUDY: PRESCRIPTION DRUG ABUSE**

#### **Opioid Dosing Guidelines in Washington State - Dr. Gary Franklin, Medical Director, Washington State Department of Labor and Industries (by phone)**

- 00:03:09 Dr. Franklin gave a PowerPoint presentation on prescription drug use and the state of Washington's opioid dosing guidelines. ([Exhibit 1](#))
- Committee questions of Dr. Franklin
- 00:30:11 Sen. Windy Boy
- 00:40:31 Sen. Webb
- 00:41:45 Sen. Wanzenried

#### **Montana Medical Association Work Group - Dr. Bill Gallea**

- 00:43:01 Dr. Gallea gave an update on the activities of the Montana Medical Association's Prescription Drug Work Group and MMA's recommendations on reducing and preventing abuse. ([Exhibit 2](#))
- Committee questions of Dr. Gallea
- 00:59:59 Sen. Murphy
- 01:01:55 Rep. Ehl
- 01:08:19 Rep. Schreiner
- 01:12:03 Sen. Windy Boy
- 01:13:35 Sen. Wanzenried

#### **Prevention and Mitigation: A National Overview - Dr. Leonard Paulozzi, Medical Epidemiologist, Centers for Disease Control and Prevention (by phone)**

- 01:15:28 Dr. Paulozzi gave a PowerPoint presentation on prevention and mitigation strategies for drug abuse and misuse. ([Exhibit 3](#))

Committee questions of Dr. Paulozzi  
01:34:05 Sen. Windy Boy  
01:39:40 Rep. Ehli  
01:45:00 Sen. Webb  
01:47:58 Sen. Wanzenried  
01:52:07 Rep. Pease-Lopez  
01:53:37 Sen. Wanzenried  
01:54:09 Sen. Windy Boy

**LUNCH** - reconvened at 1:01 p.m.

**Prevention and Mitigation: Perspectives from Around the State**

**Todd Harwell, DPHHS Chronic Disease Prevention and Health Promotion Bureau**

**Kevin Howlett, Confederated Salish and Kootenai Tribes**

**Rebecca Sturdevant, Comprehensive Highway Safety Plan Work Group**

**Jackie Jandt, DPHHS Chemical Dependency Bureau**

The committee received information on geographic variation in mortality and morbidity due to prescription opioid use and abuse; death rates due to unintentional poisoning; abuse of prescription narcotic drugs on the reservations; prescription drugs and public safety on the highways; and the Strategic Prevention Framework Partnership for Success Grant.

03:03:30 Todd Harwell (**Exhibit 4**) (**Exhibit 5**)  
03:08:05 Kevin Howlett  
03:17:29 Rebecca Sturdevant (**Exhibit 6**)  
03:20:25 Jackie Jandt

Committee questions  
03:24:54 Rep. Ehli  
03:25:47 Mr. Harwell  
03:27:33 Sen. Windy Boy  
03:28:17 Ms. Sturdevant

Comments from the committee  
03:28:33 Sen. Windy Boy discussed forming an informal work group to develop recommendations for addressing prescription drug abuse on the reservations.

03:30:46 Mr. Howlett commented on Sen. Windy Boy's suggestion.

03:33:50 Sen. Wanzenried and Sen. Windy Boy discussed how to proceed with a working group.

Committee questions of Mr. Harwell  
03:39:50 Sen. Wanzenried

### **Discussion on Sen. Windy Boy's idea of an informal work group**

03:44:45 Sen. Windy Boy  
03:46:24 Sen. Wanzenried  
03:47:09 Sen. Windy Boy  
03:47:38 Sen. Wanzenried  
03:48:12 Sen. Windy Boy  
03:49:01 Sen. Wanzenried  
03:49:10 Sen. Windy Boy  
03:50:18 Sen Wanzenried

### **Attorney General Settlement of Janssen Drug Case - Jon Bennion, Deputy Attorney General and Legislative Liaison**

03:52:20 Mr. Bennion gave a presentation on the Janssen Drug Case settlement and the funding it will provide for prescription drug abuse prevention efforts.

#### Committee questions of Mr. Bennion

03:56:25 Rep. Ehli

### **Public Comment on SJR 20**

03:59:05 Dr. Chris Baumert, Resident Physician, Family Medicine Residency Program, Billings  
04:04:56 Tony Prairie Bear, Montana-Wyoming Tribal Leaders Council  
04:05:58 Rebecca Sturdevant  
04:07:31 Kevin Howlett, Confederated Salish and Kootenai Tribes  
04:13:17 Sen. Wanzenried  
04:13:34 Mr. Howlett  
04:14:27 Dyani Bingham, Montana-Wyoming Tribal Leaders Council  
04:18:31 Dr. Gary Mihelish  
04:22:41 Dr. Bill Gallea

### **Committee Discussion on SJR 20**

The committee members discussed the need for more information on the Montana Prescription Drug Registry.

04:25:47 Rep. Ehli  
04:29:00 Sen. Wanzenried  
04:31:13 Rep. Schreiner  
04:33:39 Sen. Windy Boy  
04:35:09 Sen. Webb  
04:37:44 Sen. Wanzenried  
04:38:18 Sen. Webb  
04:39:12 Sen. Wanzenried  
04:39:44 Sen. Webb  
04:40:36 Sen. Wanzenried  
04:41:49 Rep. Pease-Lopez

## AGENCY MONITORING: DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

### **Developmental Disability Services Provider Panel:**

**Sherman Weimer, Executive Director, Eastern Montana Industries, Glendive**  
**Brodie Moll, CEO, Mission Mountain Enterprises, Ronan**  
**Wally Melcher, CEO, Helena Industries**

The panelists discussed the services they provide to developmentally disabled Montanans and issues related to Medicaid funding of these services.

04:45:32 Sherman Weimer, Eastern Montana Industries, Glendive (**Exhibit 7**)

04:49:25 Brodie Moll, Mission Mountain Enterprises, Ronan

04:56:35 Wally Melcher, Helena Industries, Helena (**Exhibit 8**)

#### Committee questions

05:08:36 Sen. Murphy

05:09:08 Mr. Melcher

05:10:07 Sen. Murphy said it would be worthwhile to follow up on the necessity of the Medicaid regulations mentioned by panelists.

05:10:42 Sen. Wanzenried

05:11:17 Mr. Weimer

05:13:36 Rep. Ehli

05:14:42 Mr. Moll

**BREAK** - reconvened at 3:29 p.m.

### **HB 142 Review of Required Advisory Councils and Reports**

- **Staff Overview of DPHHS Councils and Reports**

05:29:56 Sue O'Connell discussed the report "HB 142 Review of Statutory Advisory Councils and Reports". (**Exhibit 9**)

- **DPHHS Recommendations - Richard Opper, Director**

05:34:17 Director Opper discussed the department's recommendations related to the HB 142 review.

#### Committee questions

05:35:48 Rep. Ehli

05:36:27 Director Opper

### **Public Comment on HB142**

05:37:05 Alicia Smith, Bozeman

### **Home and Community-Based Waiver Slots - Kelly Williams, Administrator, DPHHS Senior and Long-Term Care Division**

05:40:35 Ms. Williams provided an update on the Home and Community-Based Waiver in

the Senior and Long-Term Care Division. **(Exhibit 10)**

05:47:08 Committee questions of Ms. Williams  
Rep. Ehli

### **SB 423 MONITORING: MONTANA MARIJUANA ACT**

05:50:38 Ms. O'Connell provided an update on the Marijuana Registry statistics. **(Exhibit 11)** and the lawsuit Montana Cannabis Industry Association v. State of Montana. **(Exhibit 12)**

### **PUBLIC COMMENT ON ANY TOPIC**

05:54:45 Niki Zupanic, ACLU of Montana  
05:58:16 Kelly Rosenleaf, Childcare Resources and Montana Advocates for Children  
06:03:14 Rose Hughes, Montana Healthcare Association

### **COMMITTEE WORK SESSION**

#### **Direction to Staff on SJR 20 Study**

The committee members discussed additional information and presentations they would like to receive for the study, including information on the status of the Montana Prescription Drug Registry and Oklahoma's approach to reducing and preventing abuse.

06:12:06 Sen. Murphy  
06:12:14 Ms. O'Connell  
06:12:20 Sen. Murphy  
06:14:52 Sen. Webb  
06:16:15 Sen. Wanzenried  
06:16:25 Sen. Webb  
06:17:16 Sen. Wanzenried  
06:17:33 Ms. O'Connell referred to a previously presented document, "SJR 20: Prescription Drug Abuse, Summary of Suggestions" **(Exhibit 13)** as the committee members discussed their ideas.

06:22:42 Rep. Pease-Lopez  
06:23:32 Rep. Schreiner

#### **Motion to draft legislation based on Washington state model**

06:24:51 Rep. Schreiner moved that staff draft a bill using the state of Washington's model for opioid dosing guidelines to be considered at the May meeting.

#### **Discussion**

06:25:39 Sen. Wanzenried  
06:25:58 Sen. Murphy  
06:27:21 Sen. Wanzenried  
06:27:44 Ms. O'Connell  
06:28:33 Rep. Ehli

06:29:16 Sen. Wanzenried  
06:29:38 Sen. Webb  
06:30:49 Ms. O'Connell  
06:31:28 Sen. Wanzenried  
06:32:15 Rep. Pease-Lopez  
06:32:44 Rep. Schreiner  
  
06:33:10 **The motion passed unanimously by voice vote**, with Rep. Reichner voting aye by proxy.  
  
06:34:03 Ms. O'Connell  
06:34:14 Rep. Pease-Lopez  
06:34:41 Sen. Webb  
06:34:56 Sen. Wanzenried  
06:35:43 Sen. Windy Boy

**Direction to Staff on HB 142 Advisory Councils and Reports**

The committee members discussed whether to request legislation to eliminate any advisory councils or required reports but decided against doing so.

06:37:04 Sen. Wanzenried  
06:37:27 Rep. Pease-Lopez  
06:37:56 Sen. Wanzenried  
06:38:10 Sen. Windy Boy  
06:38:43 Sen. Wanzenried  
06:39:22 Sen. Murphy  
06:40:35 Sen. Wanzenried

**RECESS**

06:41:45 With no further business before the committee, Sen. Wanzenried recessed the meeting at 4:41 p.m. to reconvene at 8:00 a.m. on March 14, 2014.

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