



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

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68th Montana Legislature

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JOLANDA SONGER, Secretary

TO: Children, Families, Health, and Human Services Interim Committee  
RE: Status of Committee Legislation  
DATE: July 10, 2023

The 2022-2023 CFHHS Interim Committee approved eight bills for introduction in the 2023 Legislature. Six bills became law.

### **SB 4 - Require sharing of reports of abuse and neglect at Montana State Hospital**

AN ACT REQUIRING THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TO PROVIDE REPORTS OF ALLEGED ABUSE AND NEGLECT AT THE MONTANA STATE HOSPITAL TO THE STATE PROTECTION AND ADVOCACY PROGRAM; AMENDING SECTIONS 53-21-107, 53-21-166, AND 53-21-169, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE

*Sponsor:* Sen. Jen Gross

*Status:* Became Law (Governor's veto overridden by Legislature on June 9, 2023)

### **HB 16 - Revise laws relating to child abuse and neglect proceedings**

AN ACT GENERALLY REVISING PROCEDURES RELATED TO CHILD ABUSE AND NEGLECT PROCEEDINGS; PROVIDING FOR SHARING OF INFORMATION WITH THE OFFICE OF STATE PUBLIC DEFENDER; PROVIDING FOR PREHEARING CONFERENCES BEFORE EMERGENCY PROTECTIVE SERVICES HEARINGS; REMOVING THE EXCEPTION FOR USE OF PREHEARING CONFERENCES AND EMERGENCY PROTECTIVE SERVICES HEARINGS IN CASES SUBJECT TO THE INDIAN CHILD WELFARE ACT; CLARIFYING THAT A SUPPORT PERSON MAY BE PRESENT DURING AN EMERGENCY PROTECTIVE SERVICES HEARING; PROVIDING APPROPRIATIONS; AMENDING SECTIONS 41-3-301, 41-3-306, 41-3-307, AND 41-3-427, MCA; AMENDING SECTION 8, CHAPTER 529, LAWS OF 2021; AND PROVIDING EFFECTIVE DATES.

*Sponsor:* Rep. Jennifer Carlson

*Status:* Became Law

### **HB 17 - Provide for implementation of certified community behavioral health clinic model**

A BILL FOR AN ACT ENTITLED: AN ACT REQUIRING THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TO IMPLEMENT THE CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINIC MODEL; ALLOWING MEDICAID COVERAGE OF CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINIC SERVICES; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTION 53-6-101, MCA; AND PROVIDING EFFECTIVE DATES.

*Sponsor:* Rep. Ed Stafman

*Status:* Probably Dead (Tabled in House Human Services Committee on February 15, 2023)

### **HB 29 - Revise involuntary commitment laws for people with dementia or TBI**

AN ACT GENERALLY REVISING LAWS REGARDING THE INVOLUNTARY COMMITMENT OF INDIVIDUALS WITH ALZHEIMER'S DISEASE, OTHER FORMS OF DEMENTIA, OR TRAUMATIC BRAIN INJURY; ENDING

INVOLUNTARY COMMITMENT OF THE INDIVIDUALS AFTER JUNE 30, 2025, WHEN ONLY CERTAIN COMMITMENT CRITERIA ARE MET; REQUIRING THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TO TRANSITION MONTANA STATE HOSPITAL PATIENTS WITH THOSE DIAGNOSES TO COMMUNITY SERVICES; ESTABLISHING A TEMPORARY TRANSITION REVIEW COMMITTEE; PROVIDING AN APPROPRIATION; AMENDING SECTIONS 53-21-126, 53-21-127, 53-21-401, AND 53-21-402, MCA; AND PROVIDING EFFECTIVE DATES AND A TERMINATION DATE.

*Sponsor:* Rep. Jennifer Carlson

*Status:* Became Law (Governor's veto overridden by Legislature on June 9, 2023)

### **HB 101 - Revise licensing reciprocity for behavioral health care licenses**

AN ACT REVISING LICENSING RECIPROcity PROVISIONS FOR OUT-OF-STATE PRACTITIONERS LICENSED BY THE BOARD OF BEHAVIORAL HEALTH; ESTABLISHING THAT LICENSURE IN ANOTHER STATE IS SUFFICIENT TO OBTAIN MONTANA LICENSURE FOR NEW RESIDENTS IF CERTAIN CONDITIONS EXIST; AND AMENDING SECTION 37-1-304, MCA.

*Sponsor:* Rep. Jane Gillette

*Status:* Became Law

### **HB 116 - Strengthen qualified provider pool statute for children's mental health**

AN ACT REQUIRING PROVIDERS SERVING HIGH-RISK CHILDREN WITH MULTIAGENCY SERVICE NEEDS TO PROVIDE PLANS OF CARE UNDER CERTAIN CIRCUMSTANCES; PROVIDING EXCEPTIONS; AND AMENDING SECTION 52-2-310, MCA.

*Sponsor:* Rep. Jane Gillette

*Status:* Became Law

### **HB 147 - Enhance Medicaid rates for certain children's mental health providers**

AN ACT CREATING AN ENHANCED MEDICAID REIMBURSEMENT RATE FOR PROVIDERS OF CERTAIN CHILDREN'S MENTAL HEALTH SERVICES TO INCREASE ACCESS TO IN-STATE CARE FOR HIGH-RISK CHILDREN WITH MULTIAGENCY SERVICE NEEDS; CREATING A REPORTING REQUIREMENT; PROVIDING A DEFINITION; PROVIDING RULEMAKING AUTHORITY; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE.

*Sponsor:* Rep. Jane Gillette

*Status:* Became Law

### **HB 37 - Generally revise child abuse and neglect laws**

AN ACT GENERALLY REVISING CHILD ABUSE AND NEGLECT LAWS; REQUIRING A WARRANT TO REMOVE A CHILD FROM THE CHILD'S HOME EXCEPT IN EXIGENT CIRCUMSTANCES; REVISING THE DEFINITIONS OF "CHILD ABUSE OR NEGLECT" AND "REASONABLE EFFORTS"; REVISING THE TIMEFRAME IN WHICH AN ABUSE AND NEGLECT PETITION MUST BE FILED WHEN A CHILD IS REMOVED; REVISING THE TIMEFRAME IN WHICH AN EMERGENCY PROTECTIVE SERVICES HEARING MUST BE HELD; REVISING THE REQUIREMENTS FOR DISMISSING AN ABUSE AND NEGLECT PETITION; AMENDING SECTIONS 41-3-101, 41-3-102, 41-3-301, 41-3-306, 41-3-423, 41-3-424, 41-3-425, AND 41-3-427, MCA; AND PROVIDING EFFECTIVE DATES AND A TERMINATION DATE.

*Sponsor:* Rep. Jennifer Carlson

*Status:* Probably Dead (Governor's veto override failed Legislature on June 9, 2023)