



CHILDREN, FAMILIES, HEALTH AND HUMAN SERVICES INTERIM COMMITTEE

68th Montana Legislature

SENATE MEMBERS

Daniel Emrich
Chris Friedel
Jen Gross
Dennis Lenz

HOUSE MEMBERS

Jennifer Carlson
SJ Howell
Ron Marshall
Michael Yakawich

COMMITTEE STAFF

Milly Allen - Research Analyst
Maddie Krezowski - Attorney
Jolanda Songer - Secretary

MINUTES LOG

July 13, 2023

Helena, Montana

Please note: This document is a Minutes Log and provides annotation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video recording of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of the meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

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MEMBERS PRESENT:

Sen. Dennis Lenz, Chair (R)
Rep. SJ Howell, Vice Chair (D)
Rep. Jennifer Carlson (R)
Sen. Daniel Emrich (R)
Sen. Chris Friedel (R)
Sen. Jen Gross (D)
Rep. Ron Marshall (R) – Via Zoom
Rep. Michael Yakawich (R)

MEMBERS EXCUSED:

MEMBERS ABSENT:

STAFF PRESENT:

Milly Allen, Research Analyst
Maddie Krezowski, Attorney
Jolanda Songer, Secretary

AGENDA ([Attachment 1](#))

VISITORS' LIST ([Attachment 2](#))

COMMITTEE ACTION

CALL TO ORDER/ROLL CALL

09:06:21 Dennis Lenz-R called the meeting to order at 9:06 AM. The committee secretary took roll.

ELECTION OF PRESIDING OFFICERS

Nominations

09:09:08 Rep. Carlson nominates Senator Lenz for Chair of the CFHHS Committee.

Committee Discussion and Questions

09:09:48 Sen. Gross

09:10:34 Milly Allen, Research Analyst, Legislative Service Division (LSD)
[EXHIBIT 1](#)

Nominations

09:11:48 Sen. Gross nominates Representative Howell for Chair of the CFHHS Committee.

Committee Discussion and Questions

09:12:50 Rep. Howell

09:13:34 Sen. Lenz

09:14:44 Sen. Gross

09:15:11 Sen. Lenz

Vote:

09:15:47 The motion carried 6 - 2 by roll call vote with Rep. Howell, and Sen. Gross, voting 'no.'

09:16:44 Sen. Lenz has been nominated as Chair of the CFHHS Committee.

Nominations

09:17:13 Rep. Carlson nominates Representative Howell for Vice Chair of the CFHHS Committee.

Committee Discussion and Questions

09:18:12 Rep. Howell

09:18:38 Chair Lenz

Vote:

09:20:33 The motion carried unanimously by voice vote.

09:18:43 Rep. Howell has been nominated as Vice-Chair of the CFHHS Committee.

COMMITTEE RULES AND PROCEDURE

09:19:32 Milly Allen, Research Analyst, Legislative Service Division (LSD)
[EXHIBIT 1](#)

Committee Discussion and Questions

09:22:19 Sen. Gross asked Milly Allen about proxy votes.

09:23:10 Chair Lenz

09:24:40 Rep. Carlson

09:24:55 Chair Lenz asked Milly Allen about the 24-hour notice for the public to testify online.

Committee Rules and Procedure continued

09:26:01 Milly Allen

09:31:59 Rep. Yakawich asked Milly Allen about the tracking of research hours.

09:32:55 Rep. Yakawich asked Milly Allen about subcommittees.

09:34:13 Chair Lenz

09:34:40 Sen. Gross asked Milly Allen about changes from last interim on page 6, subsection c.
[EXHIBIT 1](#)

09:36:03 Chair Lenz

09:37:05 Sen. Gross

09:37:24 Chair Lenz

09:38:13 Maddie Krezowski, Attorney, Legislative Service Division (LSD)

09:38:53 Chair Lenz asked Milly Allen about the travel and expense vouchers.

COMMITTEE MEETING DATES

09:41:06 Milly Allen, LSD
[EXHIBIT 2](#)

09:43:13 Chair Lenz

Committee Discussion and Questions

09:48:00 Rep. Carlson requested a joint meeting with law and justice or criminal justice oversight to discuss mental health and responded regarding the committee dates.

09:50:48 Chair Lenz

09:51:20 Milly Allen, LSD
09:52:00 Sen. Friedel
09:52:48 Rep. Marshall
09:53:30 Chair Lenz
09:54:09 Rep. Yakawich
09:54:28 Chair Lenz
09:55:06 Sen. Friedel
09:55:44 Chair Lenz
09:56:30 Rep. Carlson
09:57:09 Sen. Gross
09:58:08 Chair Lenz
10:02:41 Sen. Emrich
10:03:00 Sen. Friedel
10:03:25 Chair Lenz

Council Adoption of Final Dates

10:03:43 Rep. Carlson moved that the committee adopts schedule A with the caveat that when things come up the committee has the option of making minor adjustments.

Vote:

10:03:57 The motion carried unanimously by voice vote.

ADMINISTRATIVE RULEMAKING
Overview of Rulemaking Procedure

10:04:35 Maddie Krezowski, Attorney, Legislative Service Division (LSD)
[EXHIBIT 3](#)

Committee Discussion and Questions

10:11:47 Rep. Carlson answered Maddie Krezowski that she would like to receive the notices of the rules as soon as possible.
10:12:02 Chair Lenz
10:13:48 Rep. Yakawich asked about the oversight by EQC over DPHHS.

RECESS

10:16:18 Reconvened at 10:31:06

Committee Discussion and Questions

10:32:20 Sen. Gross asked Chair Lenz about public comment.

DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

10:32:53 Chad Parker, Deputy Chief Legal Counsel, DPHHS

Committee Discussion and Questions

10:41:50 Chair Lenz asked Chad Parker if he is hoping to establish the bar being higher to enter the state hospital or to restrict the flow from the local communities to the state hospital.

10:43:58 Rep. Carlson asked Chad Parker about the appointments of the HB 29 transition review committee.

10:45:46 Rep. Howell asked Chad Parker about Medicaid redetermination processes and asked for data to be shared with the committee.

10:48:18 Sen. Gross

10:48:39 Chair Lenz

10:49:24 Rep. Carlson asked Chair Lenz about public comment.

Public Comment

10:51:29 Matt Kuntz, Executive Director, National Alliance on Mental Illness (NAMI)
[EXHIBIT 4](#)

10:53:45 Jackie Semmens, Policy Analyst, Montana Budget & Policy Center (MBPC)

10:58:26 Erin McGowan, representing Montana Community Corrections Association (MCCA), Confluence Public Health Alliance (CPHA), Human Resources Development Council (HRDC), HomeCare Montana, and YMCA's.

11:03:55 Web Brown, Montana Dental Association (MDA)

11:04:45 Jean Branscum, CEO, Montana Medical Association (MMA)

COMMITTEE WORK PLAN & MEMBER TOPICS (PART 1)

11:10:22 Chair Lenz

Discussion of Member Topics

11:14:27 Rep. Yakawich

11:15:12 Milly Allen
[EXHIBIT 2](#)

11:21:48 Milly Allen

11:22:28 Vice Chair Howell

11:27:15 Rep. Carlson
[EXHIBIT 5](#)

11:39:00 Milly Allen

11:39:39 Rep. Yakawich
[EXHIBIT 6](#)
[EXHIBIT 7](#)

11:45:13 Sen. Emrich

11:48:13 Chair Lenz

11:48:44 Sen. Gross

11:49:55 Chair Lenz

RECESS FOR LUNCH

11:51:04 Reconvened at 13:05:11

COMMITTEE WORK PLAN & MEMBER TOPICS (PART 2)

Presentation

13:05:36 Milly Allen
[EXHIBIT 8](#)
[EXHIBIT 9](#)
[EXHIBIT 2](#)

Discussion of Member Topics

13:11:02 Chair Lenz

13:12:06 Sen. Gross

13:12:20 Milly Allen

13:12:34 Sen. Gross

13:12:45 Chair Lenz asked Milly Allen about the unwinding Medicaid reports.

13:14:12 Chair Lenz asked Rep. Carlson about reports regarding issues on the list.

13:17:37 Sen. Gross

13:18:03 Rep. Carlson

13:20:26 Vice Chair Howell suggested a study on mental health services in the state with an emphasis on justice involved people and diversion/crisis bed opportunities.

13:22:20 Rep. Carlson

13:22:48 Chair Lenz

13:23:05 Rep. Carlson

13:23:32 Chair Lenz

13:23:36 Vice Chair Howell

13:24:09 Rep. Carlson

13:25:23 Sen. Emrich

13:27:01 Rep. Carlson

13:27:30 Chair Lenz

13:27:55 Rep. Yakawich talked about assisted living for behavioral health in rural areas.

13:28:58 Chair Lenz

13:29:32 Sen. Gross asked the committee to keep a pulse on the state hospital and the plan for that facility and the plan for the waitlist for the forensic unit.

13:30:39 Chair Lenz

13:31:10 Milly Allen shared that HB 29 requires the transition review from the state hospital to report regularly to the CFHHS committee.

13:31:42 Chair Lenz asked the committee for thoughts on the daycare study and elderly resource study.

13:32:28 Rep. Yakawich

13:36:16 Sen. Friedel asked the committee to emphasize a cost analysis regarding the baby boomers going into the geriatrics portion of their lives.

13:37:26 Chair Lenz

13:37:56 Milly Allen

13:38:29 Chair Lenz asked Margaret MacDonald (Big Sky 55+) how raised rates for senior care impacts in home care.

13:43:57 Chair Lenz

13:44:35 Rep. Yakawich

13:44:54 Chair Lenz

13:45:10 Rep. Carlson

13:45:15 Chair Lenz

13:46:16 Sen. Gross asked Chair Lenz about HJ 38 regarding burnout for the health care workforce.

13:47:43 Rep. Carlson

13:49:48 Chair Lenz

13:50:10 Sen. Gross

13:51:23 Rep. Carlson talked about the day care study and the importance of asking providers and parents regarding the problems and requested a copy of the draft daycare rules from the department.

13:56:31 Rep. Marshall suggested looking at the rules at DPHHS and DLI and removing barriers as well as EAIC and CFHHS' collaboration.

13:58:21 Chair Lenz

13:58:58 Rep. Carlson

13:59:45 Milly Allen

14:00:20 Rep. Carlson

PUBLIC COMMENT ON ANY MATTER UNDER THE JURISDICTION OF THE COMMITTEE

14:03:14 Jackie Jones, Director of Montana Government Relations, PacificSource Health Plans
[EXHIBIT 10](#)

14:08:25 Jean Branscum, MMA

14:10:46 Jill Sark, Montana Health Care Association (MHCA)
[EXHIBIT 11](#)
[EXHIBIT 12](#)

14:17:36 Margaret MacDonald, Big Sky 55+

14:21:02 Clair Marshall, Advocacy and Volunteer Manager, Alzheimer's Association - Montana Chapter

14:22:22 Senator Mary Ann Dunwell, Senate District 42

14:26:27 Rep. Caferro

14:34:12 Mary Windecker, Executive Director, Behavioral Health Alliance of Montana (BHAM)

14:38:52 Katherine Buckley-Patton, Beaverhead Mental Health Local Advisory Council, Western Service Area Authority, and as a grandma.

RECESS

14:43:34 Reconvened at 14:52:11

WORK SESSION

September Agenda Items

14:52:39 Chair Lenz shared agenda items and asked Reps. Carlson and Howell to articulate on the record what they want reports on.

14:54:38 Rep. Carlson

14:55:17 Milly Allen

14:56:24 Rep. Carlson

14:57:37 Vice Chair Howell

14:59:35 Milly Allen

15:00:35 Rep. Carlson

15:00:53 Vice Chair Howell

15:01:26 Chair Lenz

15:01:36 Sen. Emrich

15:03:06 Sen. Gross asked Milly Allen for a separate letter to DPHHS ahead of the next meeting about Medicaid redetermination and asked Rep. Howell to send the data points out to the committee.

15:04:06 Chair Lenz

15:04:25 Milly Allen

15:06:28 Chair Lenz

15:06:50 Sen. Gross

15:07:25 Chair Lenz

15:07:51 Sen. Gross

15:07:54 Sen. Lenz

15:09:01 Rep. Carlson

15:09:47 Sen. Gross

15:10:25 Rep. Carlson

15:11:31 Vice Chair Howell

15:12:34 Rep. Carlson

15:12:53 Rep. Lenz

Additional Council Discussion

15:13:33 Milly Allen summarized the discussed topics under 4 umbrellas.

15:14:27 Sen. Lenz suggested to reach out to EAIC about a joint committee regarding the daycare study.

15:16:04 Vice Chair Howell suggested to study other models of family peer support like parents of severely disabled kids and of kids in the CPS system.
[EXHIBIT 14](#)

15:17:00 Chair Lenz asked the committee if they wanted to add group homes.

15:17:27 Rep. Carlson

15:18:25 Chair Lenz talked about the CPS working group.

15:19:03 Milly Allen shared that on page 7 under member topics and prioritization it lists the review of Child Protective Services as one of the required activities of the committee.
[EXHIBIT 2](#)

15:19:40 Chair Lenz talked about Safe Haven and EMS.

15:21:01 Sen. Gross asked the committee for their interest level about agency monitoring.

15:22:04 Chair Lenz

15:22:37 Sen. Gross talked about administrative rule review.

15:23:25 Rep. Yakawich talked about HJR 28

15:24:19 Chair Lenz

15:24:50 Milly Allen summarized what the committee has decided regarding prioritization on the different topics.

15:31:45 Chair Lenz

15:32:03 Sen. Gross shared regarding the CPS working group.

15:32:26 Chair Lenz

15:33:11 Vice Chair Howell asked Milly Allen to clarify regarding administrative rule review and other agency oversight.

15:33:23 Milly Allen

15:34:19 Vice Chair Howell

15:34:56 Chair Lenz
15:35:21 Milly Allen
15:36:23 Chair Lenz assigns committee members to the CPS Working Group (SB 352).
15:38:57 Milly Allen
15:39:05 Chair Lenz
15:39:13 Rep. Carlson asked about administrative rules.
15:39:52 Maddie Krezowski
[EXHIBIT 2](#)
15:40:47 Rep. Carlson
15:41:04 Rep. Howell
15:41:06 Rep. Carlson
15:41:38 Maddie Krezowski
15:42:32 Rep. Carlson
15:42:45 Maddie Krezowski
15:42:54 Rep. Carlson
15:42:59 Maddie Krezowski
15:43:50 Chair Lenz
15:44:09 Maddie Krezowski
15:44:20 Vice Chair Howell
15:45:12 Chair Lenz shared hearing dates.
15:46:36 Rep. Yakawich suggested inviting Josh Poulette, Senior Fiscal Analyst (LFD).

ADJOURNMENT

15:47:12 Chair Lenz adjourned the meeting at 3:47 p.m.