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Transition Review Committee

68th Montana Legislature

SENATE MEMBERS
DENNIS LENZ
CHRISTOPHER POPE

HOUSE MEMBERS
MARY CAFERRO
JENNIFER CARLSON

PUBLIC MEMBERS
ANN GEIGER
REZA GHOMI
MIKE LAHR
SARA HANSEN-BAIAMONTE
HEATHER O'HARA
MIKE RANDOL
MELANIE WILLIAMS

COMMITTEE STAFF
MILLY ALLEN, Research Analyst
JOLANDA SONGER, Secretary
JULIA HAMILTON, Fiscal Analyst

MINUTES LOG

October 24, 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. Mary Caferro (D)
Rep. Jennifer Carlson (R)
Sen. Christopher Pope (D)
Heather O'Hara
Mike Lahr
Melanie Williams
Ann Geiger
Sara Hansen-Baiamonte
Mike Randol

MEMBERS EXCUSED:

Dr. Ghomi

MEMBERS ABSENT:

STAFF PRESENT:
Milly Allen, Research Analyst
Julia Hamilton, Fiscal Analyst
Jolanda Songer, Secretary

AGENDA (Attachment 1)

VISITORS' LIST (Attachment 2)

COMMITTEE ACTION

CALL TO ORDER/ROLL CALL

08:30:35 Sen. Lenz called the meeting to order at 8:30 AM. The committee secretary took roll.

COMMISSION MEMBER INTRODUCTIONS

08:32:13 Sen. Lenz

ELECTION OF PRESIDING OFFICERS

08:39:06 Sen. Lenz

MOTION

08:41:27 Sen. Lenz made a motion to elect Rep. Carlson as Chair.

08:41:48 Rep. Carlson

VOTE

08:42:25 The motion passed unanimously.

MOTION

08:43:38 Sen. Lenz made a motion to elect for Sen. Pope as Vice Chair.

08:43:56 Sen. Lenz

VOTE

08:45:13 The motion passed unanimously.

DEPARTMENT OVERVIEW AND UPDATES: MONTANA STATE HOSPITAL

08:46:20 Mike Randol, Medicaid and Health Services Executive Director, Department of Public Health and Human Services (DPHHS)

08:47:08 Presentation by Will Evo, Chief Facilities Officer, DPHHS
EXHIBIT 1

08:53:02 Rep. Caferro joined the meeting.

Commission Questions and Discussion

08:54:11 Heather O'Hara

08:54:48 Rep. Caferro asked Will Evo about the CMS recertification date.

08:56:08 Rep. Caferro asked Will Evo who the members are of the governing body. (See Exhibit 1)

08:56:49 Rep. Caferro asked if any members from Alvarez and Marsal are on the governing body or what role they play and what role does the Spratt unit play.

08:58:03 Presentation continued by Director Randol. (See Exhibit 1)

Commission Questions and Discussion continued

09:04:09 Sen. Lenz asked who is currently meeting the parameters in 53-21-126 (1)(c). (See Exhibit 1)

09:06:31 Director Randol diverted the question to Chad Parker.

09:06:33 Chair Carlson
EXHIBIT 2

09:09:34 Chair Carlson asked Mike Randol about a previous statement regarding community placements.

09:10:36 Chair Carlson asked if Mike Randol if he received his definition of community-based care from the Medicaid Rules.

09:11:16 Heather O'Hara asked about the tiered system Director Randol referred to.

09:12:00 Heather O'Hara asked what the average daily census at the Spratt unit is.

09:12:38 Heather O'Hara asked why 47% of patients come from nursing homes. (See Exhibit 1)

09:13:25 Rep. Caferro asked director Randol about Medicaid funds

09:15:00 Rep. Caferro asked Director Randol if the definition of community is referring to a state or federal rule.

09:15:24 Rep. Caferro asked Director Randol if the department has looked at HB 17 (2017) and how it plays into the transition.

09:17:10 Ann Geiger commented about the language regarding levels of care.

09:18:11 Melanie Williams asked director Randol for detailed data about where patients are coming from.
(See Exhibit 1)

09:19:44 Melanie Williams asked Director Randol if dementia education and mental health education are differentiated in the training.

09:21:12 Ann Geiger asked about facility closings.

09:21:47 Sen. Lenz. asked director Randol where the current definition community-based services is.

09:22:26 Sara Hansen-Baiamonte asked director Randol to explain the process of placing patients from the Spratt unit.

Public Comment on the Department's Overview and Updates

09:23:44 Diane Rafferty, Clinical lead from Alvarez & Marsal

09:25:13 Melanie Williams responded to Diane Rafferty's response.

09:25:48 Diane Rafferty

09:26:23 Chair Carlson

09:28:10 Matt Kuntz, Executive Director, Montana Chapter of the National Alliance on Mental Illness (NAMI)

09:29:53 Danny Tenenbaum
(See Exhibit 2)

09:35:29 Chair Carlson
(See Exhibit 1)

09:37:42 Sen. Lenz commented about defining "community-based nursing homes".
(See Exhibit 1)

09:39:28 Director Randol

09:40:09 Melanie Williams commented about the importance of the basic understanding of dementia and Alzheimer's.

09:40:25 Chair Carlson

09:43:05 Sen. Lenz asked Melanie Williams how mental health diagnoses contribute to dementia and Alzheimer's.

RECESS

09:45:54 Reconvened at 10:00:15

10:00:22 Chair Carlson requested a State Hospital site visit.

10:01:06 Director Randol

10:01:43 Director Randol corrected a previous statement.

ROLE AND PERSPECTIVE OF LONG-TERM CARE FACILITIES IN THE TRANSITION OF PATIENTS FROM MONTANA STATE HOSPITAL

10:02:11 Rose Hughes, Executive Director, Montana Healthcare Association
EXHIBIT 3

10:43:20 Julia Hamilton, Legislative Fiscal Division
(See Exhibit 2)

10:46:38 Chair Carlson

Commission Questions and Discussion

10:49:30 Ann Geiger commented about the transition costs.

10:50:32 Rep. Caferro asked Rose Hughes if the increase for reimbursements is in place for nursing homes.

10:53:56 Rep. Caferro asked Julia Hamilton about funding.

10:58:16 Chair Carlson

11:00:50 Rep. Caferro asked Rep. Carlson if one of the goals of HB 29 was to pay for care at the Mental Health nursing home.

11:02:10 Rep. Caferro asked Julia Hamilton what the appropriate use of the 9 million would be.

11:03:29 Chair Carlson

11:06:47 Rep. Caferro asked if the 9 million is an appropriation in the bill.

11:08:13 Julia Hamilton
(See Exhibit 2)

11:09:30 Sen. Lenz asked Rose Hughes about add-on rates.

11:11:32 Sen. Lenz asked Rose Hughes if the regulatory framework being a barrier is federal or state.

11:12:00 Ann Geiger asked Rose Hughes if specific add-ons cause more problems than other.

11:13:49 Ann Geiger asked if certain types of training would be a possibility to utilize.

11:14:39 Chair Carlson
(See Exhibit 2)

11:15:45 Director Randol

11:16:56 Ann Geiger asked Rose Hughes about training regarding patients with Traumatic Brain Injury.

11:17:43 Heather O'Hara asked Rose Hughes if patients can refuse admission.

11:18:06 Heather O'Hara asked Rose Hughes if the obstacles are removed for nursing homes if they're able to receive the add-ons.

11:19:59 Heather O'Hara commented regarding the public comment statement mentioning the same concerns brought forth by Rose Hughes.

11:21:00 Chair Carlson
(See Exhibit 2)

11:23:00 Heather O'Hara
(See Exhibit 1)

11:23:27 Director Randol

11:24:14 Chair Carlson asked Milly Allen to provide the committee members with monthly reports from the MSH regarding patients meeting the parameters of HB 29.

11:27:48 Mike Lahr asked Rose Hughes about the Pre-Placement Visits (PPV's)

11:29:43 Mike Lahr asked Rose Hughes how costs are being paid for.

11:30:54 Director Randol commented about PPV's.

11:31:58 Mike Lahr asked Rose Hughes what needs to be in place when a patient arrives to the facility.

11:35:15 Melanie Williams asked if all the patients are on Medicaid.

PUBLIC COMMENT ON ANY MATTER WITHIN THE SCOPE OF THE COMMISSION NOT ON THIS AGENDA

11:36:16 None

RECESS

11:36:45 Reconvened at 12:35:24

BEST PRACTICES FOR TREATMENT AND CARE OF INDIVIDUALS WITH ALZHEIMER'S DISEASE AND OTHER FORMS OF DEMENTIA

12:36:08 Andrew Ross, Director of State Affairs, Alzheimer's Association - Montana Chapter and Alzheimer's Impact Movement
EXHIBIT 4

12:39:23 Rep. Caferro has arrived

Commission Questions and Discussion

13:04:30 Sen. Lenz asked Andrew Ross about the drivers for dementia/Alzheimer's.

13:05:37 Melanie Williams

13:06:011 Ann Geiger asked Andrew Ross what the background is of a dementia behavioral specialist (Case Study: Virginia).

Public Comment on Best Practices for Treatment and Care

10:08:09 None

COMMISSION RULES AND PROCEDURES

13:09:11 Milly Allen, Research Analyst
EXHIBIT 5

13:14:45 Chair Carlson

Commission Question, Discussion, and Edits

13:15:11 Chair Carlson

13:16:21 The committee adopted the rules as written.

INITIAL REVIEW OF COMMISSION WORK PLAN

13:16:32 Milly Allen
EXHIBIT 6

13:22:07 Chair Carlson

13:23:31 Sen. Lenz

13:23:53 Chair Carlson

13:24:24 Milly Allen

13:25:07 The meeting schedule was adopted without objection.

13:25:45 Milly Allen

13:26:27 Chair Carlson

13:26:44 Milly Allen

13:27:09 Chair Carlson

13:27:28 Sen. Lenz

13:27:51 Milly Allen

13:28:51 Sen. Lenz

13:30:26 Chair Carlson

13:31:20 Sen. Lenz

13:31:50 Chair Carlson

Public Comment on Work Plan

13:32:18 None

PUBLIC COMMENT ON ANY MATTER WITHIN THE SCOPE OF THE COMMISSION NOT ON THIS AGENDA

13:32:39 None

RECESS

13:33:54 Reconvened at 13:52:19

WORK SESSION

13:53:49 Heather O'Hara suggested a high-level overview of the commitment process, including the average time the process takes. She would like to know what the different add-ons are and receive stats from the Medicaid office or Senior and Long-Term Care Division regarding the add-ons. She would like to know more about the Pre-Placement Visits from Director Randol. Lastly, she would like more information about the processes that Wisconsin and Virginia are using.

13:56:05 Chair Carlson

13:57:29 Director Randol

13:58:00 Chair Carlson

13:59:13 Julia Hamilton commented about add-on rates.

14:00:43 Director Randol

14:00:54 Chair Carlson

14:01:26 Director Randol

14:02:26 Rep. Caferro asked to hear from a nursing home administrator.

14:02:51 Chair Carlson

14:03:27 Heather O'Hara

14:03:58 Chair Carlson asked Rose Hughes about Pre-Placement Visits.

14:06:59 Chair Carlson asked Ann Geiger about Pre-Placement Visits.

14:08:33 Director Randol

14:08:58 Rose Hughes

14:11:11 Sen. Lenz

14:12:03 Director Randol

14:13:05 Mike Lahr

14:15:49 Sen. Lenz

14:16:02 Sara Hansen-Baiamonte

14:16:27 Director Randol

14:16:53 Chair Carlson

14:18:39 Rep. Caferro

14:19:10 Mike Lahr asked about the funding authority of this committee.

14:20:33 Milly Allen

14:21:26 Melanie Williams shared that the Alzheimer's Association applied for the Civil Monetary Penalty Grant (CMP).

14:22:58 Director Randol

14:23:23 Chair Carlson

14:24:23 Director Randol

14:24:34 Heather O'Hara

14:25:23 Sara Hansen-Baiamonte asked Director Randol for an overview of their process.

14:26:10 Sara Hansen-Baiamonte asked if the department has considered purchasing abandoned nursing homes.

14:27:20 Rep. Caferro talked about 2015-2017 CFHHS studies.

14:28:55 Chair Carlson

14:30:14 Rep. Caferro

14:30:25 Chair Carlson

14:31:43 Rep. Caferro

14:32:00 Chair Carlson

14:32:27 Ann Geiger

14:32:36 Sen. Lenz commented about category D nursing homes.

14:33:35 Ann Geiger

14:34:15 Chair Carlson

14:35:48 Ann Geiger shared about a neurobehavioral program opportunity.

14:37:28 Sara Hansen-Baiamonte

14:37:50 Chair Carlson asked for a presentation by the Montana Brain Injury Alliance.

14:39:24 Chair Carlson asked Julia Hamilton about ARPA funding and asked Director Randol about a second set of grants.

14:41:14 Chair Carlson asked Director Randol about SSI.

14:42:30 Chair Carlson asked Director Randol about crisis intervention and stabilization in nursing homes.

14:46:06 Milly Allen summarized the work plan.

14:48:06 Director Randol asked Milly Allen about the timeline expectation for information by the department.

14:49:46 Chair Carlson

14:50:32 Mike Lahr asked who is responsible for the 50-state review and the scope of the project.

14:51:29 Milly Allen

14:52:46 Sen. Lenz

14:53:12 Director Randol

14:53:50 Rep. Caferro

14:54:45 Milly Allen

14:55:25 Chair Carlson

14:56:28 Melanie Williams shared that dementia is not billable for insurance and to keep in mind that there is private pay besides Medicaid.

14:58:49 Mike Lahr commented about the HEART waiver.

15:00:36 Chair Carlson

PUBLIC COMMENT ON ANY MATTER WITHIN THE SCOPE OF THE COMMISSION NOT ON THIS AGENDA

15:00:44 None

Commission Questions and Discussion

15:01:17 Brenda Dahl, Autumn Care Center and Montana Community Services, Billings

15:04:21 Chair Carlson

15:05:55 Milly Allen

15:05:58 Chair Carlson

15:08:08 Director Randol

15:08:13 Chair Carlson

ADJOURNMENT

15:08:44 Chair Carlson adjourned the meeting at 3:08 p.m.