



January 5, 2025

DPHHS Response to Legislative Committee Information Request

Requesting Committee: Children, Families, Health and Human Services Interim Committee

Committee Meeting Date: November 5, 2025

Requested Information: Facilities-Related

1. What is the current status of the request for proposal (RFP) for an electronic medical records system for the Montana State Hospital?
 - a. The RFP materials are complete and awaiting final approvals.
2. Will the Department be able to use the same electronic medical records system at the new behavioral health facility?
 - a. Yes
3. Do the Centers for Medicare & Medicaid Services (CMS) require certified facilities to use electronic medical records systems? Does CMS have any particular requirements (including security requirements) for electronic medical records systems used in facilities certified by CMS?
 - a. There is no specific requirement in the CMS Conditions of Participation for health systems to have an electronic health record.
 - b. EMR's are required to be certified by the Office of the National Coordinator for Health IT (ONC) under the Certified Electronic Health Record Technology (CEHRT) designation and are subject to a variety of compliance and security requirements such as HIPAA, HITECH as well as the 21st Century Cures Act.
4. Does the Department foresee any legislative action in 2027 to support the ongoing costs of an electronic medical records system at either facility?
 - a. There is no legislative action for the 2027 session anticipated at this time.
5. What is the estimated staff by position for the new behavioral health facility, if possible?
 - a. It is anticipated that 90-100 FTE will be required to safely operate the facility across multiple shifts 24/7/365.
6. What is the number of staff by position at Galen currently, and what is the number of staff by position when Galen is fully staffed?
 - a. There are currently 98 FTE between state and contracted staff across nursing, provider and ancillary functions. Any open positions are backfilled by travelers until a state employee can be hired.



7. The committee requests the whitepaper on the new behavioral health facility that the director referenced at the November 5 committee meeting. Committee staff sent a link to a paper available on hb5.mt.gov related to this facility on November 5; if you have a moment to please confirm this is the link to the referenced paper, committee staff will distribute it to committee members.
 - a. The links to the white paper and FAQ documents can be found here:
(https://hb5.mt.gov/_shared/DPHHSLetter_BOI.pdf)
(https://hb5.mt.gov/_shared/FAQ_HB5_Mental_Health_Facility.pdf)

8. Could the Department provide more information on the alternative authority of the State Medical Officer, including the documents requested by Rep. Howell? (For more context, discussion begins in this [recorded video \[sg001-harmony.sliq.net\]](#) at 11:28:03)
 - a. The Montana State Hospital Governance Board Executive Committee consists of DPHHS leaders being assigned the responsibilities for the conduct of the hospital in accordance with the CMS COP 42 CFR 482.12. The Director of DPHHS is responsible for appointing the Chairperson of the Governance Board and the members are as follows: the State Medical Officer (Chair), the Executive Director of the Healthcare Facilities Division, the DPHHS Chief Financial Officer, the DPHHS Chief Legal Counsel, the MSH Chief Executive Officer, or their designees, and a duly elected member-at-large representing community engagement. The Executive Committee may engage other staff within the state government, within the MSH, or other individuals, as appropriate for its needs or for committee assignment

The Governance Board Executive Committee shall hold meetings at least quarterly or more often as determined by the meeting chairperson. The conduct of meetings shall adhere to the requirements outlined in Mont. Code Ann., Title 2, Chapter 3, Parts 1 and 2. Additionally, MSH leadership will hold public reporting forums twice a year to provide updates on specific metrics.