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|  | CA | San Jose | Kai Berger | Hilde B Foundation | 01/23/2026 08:53 PM |

Subject: Support for SB 280 – Domestic Violence Intervention Programs

Comment: On behalf of the Hilde B Foundation, an international nonprofit dedicated to ending domestic violence through education, technology, and policy advocacy, we write in strong support of Senate Bill 280. SB 280 strengthens Montana's Domestic Violence Intervention Program by expanding the ability of the Montana Board of Crime Control to provide grants that support community-based monitoring of court-ordered compliance for individuals charged with or convicted of domestic violence-related offenses. We believe this legislation addresses a critical gap in the prevention ecosystem: ensuring that accountability mechanisms are not merely ordered by courts, but meaningfully implemented and monitored at the community level.

Effective intervention with offenders is a key component of long-term violence prevention. Programs that promote compliance, behavioral change, and structured oversight help reduce repeat offenses and improve safety outcomes for survivors and families.



MT

Missoula

Charlene Kirtley

Self

02/13/2026 03:09 PM

Subject: Elderly MEDICAID Payments

Comment: Hi to you all,

I am a 67 year old constituent living in Missoula. Me Social Security check is \$1371 per month. MEDICAID takes \$471 of it. I live on \$900 per month.

I am wondering why the elderly of Montana are treated this way.

I do not mind paying for my health insurance coverage but if I had a job it would only be \$60 to \$100 per month. I unfortunately am disabled and can't work.

Can't you come up with a more affordable way for the elderly to pay for health insurance?

Thank you for your time.

Charlene Kirtley

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|  | MT | Billings | Temple McLean | Self | 02/20/2026 03:27 PM |
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Subject: Introduction

Attachments:

Comment: Introduction for myself and explanation of my attendance purpose.

 [VIEW ATTACHMENT 1](#)

LETTER OF INTRODUCTION

Ms. McLean served as Montana's chief authority on child support guidelines, chaired the Guidelines Review Oversight Committee, and oversaw guideline compliance with state and federal law and the primary author of the 2020 Montana federally required Quadrennial Report. She was also responsible for oversight and refinement of the child support calculator relied upon by CSSD, courts, and practitioners throughout Montana.

Since leaving state service in late 2022, Ms. McLean has continued to serve attorneys, mediators, and families statewide as an independent consultant, expert witness, and certified mediator.

Her transition to ownership of the private version of child support calculator (the MTCS software) ensures continuity, accuracy, and integrity grounded in deep institutional knowledge of Montana child support law, policy, and application.

Ms. McLean is committed to maintaining the reliability of the private software, while ensuring the software continues to meet the evolving needs of professionals and families who rely on accurate child support calculations.

Ms. McLean's commitment includes working in alignment with the Child Support Services Division, the Office of Legal Affairs (OLA) counsel working with CSSD, and the Office of Administrative Hearings (OAH) handling hearings in contested CSSD matters. She intends to convey this commitment by availing the legislature to her knowledge and experience.

Temple McLean, CM

Former Guidelines Coordinator, Montana Child Support Services Division

Founder & Executive Director, Billings Mediation Center

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|---|----|----------|----------|------|---------------------|
|  | MT | Missoula | Pam Boyd | Self | 03/02/2026 12:57 PM |
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Subject: Medicaid and the Rural Health Transformation Program

Attachments:

Comment: -

 [VIEW ATTACHMENT 1](#)

February 27, 2026

To Whom It May Concern:

As health professionals and concerned citizens, we have several major concerns around the funding and program implementation of the Rural Health Transformation Program for Montana.

1. We are concerned that a very large percentage of the money is going to administrative needs and the development of a Center of Excellence and not to rural health care needs directly.
2. We believe that some of the ideas in the initiatives have already been thoroughly investigated, for example health care recruitment and retention in rural areas. We would like to know if the recommendations that were put forth in 2021 in the Rural Health Plan were implemented and if they were , were the implementations evaluated. We believe those studies need to be reviewed by both the governing board and the advisory committee before suggestions and projects are implemented. See National Rural Health Association Policy Brief . www.ruralhealth.us
3. We believe the governing board and the advisory council needs to be composed of all consumers and providers affected by the proposals. Notably missing are nurses, social workers and rural Medicaid recipients.
4. We are concerned about the proposed changes to practice for pharmacists and EMT's. For safety and health reasons, this cannot just be a rules and licensing change but would require structural changes to training and fundamental education programs. Do the Universities and training programs have the, desire, money and staff to make the changes?
5. Our biggest concern is that all of the work seems to be focused on stabilizing institutions and there is no planning for protection of or stabilization for the thousands of individuals that will potentially lose their Medicaid and ACA insurance due to the changes in the programs.

We would like to know that our concerns are acknowledged and shared with both the governing board and the advisory committee stakeholders.

Thank you for your consideration.

Pamela Boyd, APRN, MSN, BSN
Theresa Stergios, BSN, CBIS
Lindsay Dean, RN
Anne Capovani ,BS, RN
Lisa Bower, MA, BA

Dillon Sarb
Ann Sneath, CNM, MSN, BSN
Lauren Wilson, MD, FAAP
Alison Cobb PhD, Clinical Psychology
Cathy Nolan, MS . Nutrition

For more information go to dphhs.mt.gov or google Montana rural transformation program.

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|---|----|----------|-----------|------|---------------------|
|  | MT | Billings | Dena Hete | Self | 03/06/2026 09:23 AM |
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Subject: Testimony

Comment: -

Attachments:

 [VIEW ATTACHMENT 1](#)

CHS Interim Committee Public Comment

3/9/26

Good afternoon Chair and members of the committee.

My name is Dena Hete, H-E-T-E. I have lived in Montana for a total of 26 years. I originally came here from Tunkhannock Pennsylvania to attend Rocky Mountain College in 1990 and received a political science [degree](#). In 1994 I moved to Phoenix Arizona in 1996. I also received an associate's degree in paralegal studies and work for a former prosecuting attorney. I came back to Montana in 2009 and lived in Helena. I moved back to Billings, where I currently reside and I've been in Billings for the last 8 years now.

Today I am speaking as a grandmother who is deeply concerned about the health and development of my 4½-year-old grandson.

His mother, my daughter-in-law, used high-potency marijuana concentrates, commonly called dabs, throughout her pregnancy and continues to use them while breastfeeding. My grandson is a happy and well-fed child, but he is showing concerning developmental delays. At his age, he is unable to form full sentences and it is very difficult to understand what he is trying to say. He has a few simple words but cannot clearly communicate his needs. His mother often has to speak for him.

I have another grandson who is three months older, and the difference in speech and development is very noticeable.

My grandson is entering kindergarten in the fall, but he cannot yet put sentences together. He is also beginning to show signs of aggression.

I expressed my concerns to his mother and suggested he be evaluated for speech delays. She became defensive and verbally abusive and has since blocked full contact with me. It has been 8 months now that I have seen my grandson . I am absolutely devastated by this. She does not believe in taking her son to a pediatrician and has refused vaccinations. She has two other children who currently receive IEP services at school.

Because of my concerns, I began researching the effects of high-potency THC concentrates during pregnancy and breastfeeding. Dabs are highly concentrated cannabis products that can contain 75 percent THC or more. They are typically smoked in vape pens or through devices like bongs.

From what I have learned, THC is fat-soluble and can accumulate in breast milk. This means a child can continue to be exposed to concentrated THC through breastfeeding.

My daughter-in-law also smokes these products in the home around the children, exposing them to secondhand smoke.

I was so concerned that I contacted Child Protective Services to request a wellness check. I referenced the law passed last year regarding child endangerment and marijuana exposure, but I was told that marijuana is legal and there was nothing they could do. I called multiple times and even spoke with a supervisor in Gallatin County, where they reside. My counselor and law enforcement also reported concerns, and still nothing was done.

What I am seeing in my own family is a growing misunderstanding in our communities. Many people believe marijuana products are safe simply because they are legal. Some believe these products are similar to the marijuana people used decades ago, but the potency today is very different.

I also know of families allowing minors to use marijuana in their homes because they believe it is harmless.

My concern is that Montana is not doing enough to educate parents, mothers, and families about the risks of high-potency marijuana products during pregnancy, breastfeeding, and early childhood development.

If we are going to allow these products in our state, we need better education, better data, and better protections for children.

Thank you for your time and for listening.

Dena Hete, 3/9/26



MT

Helena

Christa Gabriel

Disability Rights Montana

03/06/2026 11:38 AM

Subject: HJ 26: Recommendations for Amending MT Guardianship Laws

Attachments:

Comment:

 [VIEW ATTACHMENT 1](#)

In preparation of the upcoming work session, I'd like to share these proposed amendments which are intended to strengthen due process and ensure that people facing guardianship proceedings are treated fairly and can fully participate in decisions that affect their lives. These proposed amendments stand alone to address fundamental due process concerns in guardianship proceedings without introducing new legal concepts, relying only on existing law.

Please let me know if you have any questions. Thank you for your consideration.

Christa Gabriel
Director of Public Policy
Disability Rights Montana



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Disability Rights Montana

A Report and Recommendations for Amending Montana’s Guardianship Laws to Preserve
Maximize Self-Reliance and Preserve the Rights of People with Disabilities in support of HJ26
Interim Study



Contact: Christa Gabriel, Director of Public Policy, 406-441-4817; Christa@dr-mt.org.

About Disability Rights Montana: Disability Rights Montana is the State's federally mandated Protection and Advocacy System. Our mission is to protect and advocate for the civil, legal, and human rights of Montanans with disabilities while advancing individual dignity and self-determination. Our work extends across the state to people with disabilities of all ages. Our constituents include over 250,000 adults with disabilities and 21,000 school-aged youth with disabilities.

Background:

Guardianships inherently impose severe restrictions on a person's most fundamental rights in contravention to the statutorily and constitutionally protected rights of people with disabilities.

Over 50 years ago, Congress enacted the first nationwide protection against disability discrimination as part of the Rehabilitation Act of 1973 ("RA").ⁱ Congress adopted a national policy explicitly recognizing respect for "individual dignity, personal responsibility, self-determination, and pursuit of meaningful careers, based on informed choice, of individuals with disabilities" and the right to "inclusion, integration, and full participation of the[se] individuals."

ⁱⁱ A year prior, the Delegates to the Constitutional Convention enshrined the right to human dignity in the Montana Constitution.ⁱⁱⁱ

In 1990, Congress mandated access in all areas of public life through the Americans with Disabilities Act (ADA), which it amended in 2008 to ensure broad coverage.^{iv} ADA regulations include the "integration mandate," affirmed by the Supreme Court in the Olmstead case, requiring "public entit[ies] [to] administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities."^v

Over 40 years ago full, or "plenary," guardianship, were described in Congress as "the most punitive civil penalty that can be levied against an American citizen, with the exception, of course, of the death penalty."^{vi} Yet, Montanans continue to lose their most fundamental rights through court imposed guardianships every day.

Montana's guardianship statutes are out of sync with more modern revisions. The core parts of Montana's guardianship statutes are based on Title V of the 1969 version of Uniform Probate Code (UPC) with few amendments since then.^{vii} Since 1969, the Uniform Law Commission has developed multiple revisions to the UPC through the Uniform Guardianship and Protective Proceedings Act (UGPPA) in 1982; amendments to the UGPPA in 1997; and, following extensive study, substantial revision in the Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act (UGCOPAA) of 2017. None of these revisions have been adopted in their entirety in Montana.

DRMT works with stakeholders to understand how the rights of people with disabilities are improperly restricted through guardianships in Montana:

In the past several years we have held discussions with people with disabilities and their families, service providers, Montana's Centers for Independent Living, public defenders, state administrators, private attorneys, judges, and academics about guardianships in Montana. We gathered information through direct conversations, surveys, trainings, listening sessions, and representing individuals in court and in developing documents to support alternatives to guardianship.

The idea that guardianships are inherently at odds with people's most fundamental rights of individual dignity and self-determination is not new. Montana's existing guardianship statutes already explicitly recognize this in several places. But they are not enforced with fidelity.

Montana's guardianship statutes are supposed to limit the use and scope of guardianships; only impose guardianships when less restrictive alternatives cannot meet the person's needs; and be designed to encourage "maximum self-reliance and independence."

Our work over the past several years made it eminently clear that the existing protections of the rights of people with disabilities in Montana's guardianship statutes, while there, are not adequately carried out in practice and are insufficient to safeguard these fundamental rights or keep people subject to guardianship safe.

Draft Amendments as proposed by Disability Rights Montana

The following proposals are designed to enhance and bolster existing guardianship laws to ensure, to the extent possible, that people are treated fairly in guardianship proceedings, that their due process rights are respected and that courts fully engage in the necessary fact-finding required by law. People subjected to guardianship proceedings can be treated as second-class litigants in the court system where they are expected to be neither seen nor heard. Often without counsel, they have no choice but to accept their fates without a legitimate opportunity to fully participate in the proceedings or challenge the results.

The amendments proposed here address these shortfalls in the system by requiring courts to (1) recognize and address difficulties encountered by people with disabilities accessing and participating in proceedings; (2) duly consider the importance of counsel and provide specific findings justifying a court's decision not to appoint counsel; (3) utilize the appointment of "visitors" as already set forth in statute to provide important information to the court at the outset of proceedings; (4) provide specific findings regarding the less restrictive alternatives to guardianship actually considered and the reasons they were rejected; and (5) provide specific findings as to why a limited guardianship would not have been sufficient to provide for the needs of the person.

The proposed amendments also include a provision stating that a person under guardianship may discuss the terms of that guardianship and the person's rights under it with any private person, attorney or organization without the consent or knowledge of the guardian and that the person may challenge the guardianship through court proceedings without permission from the guardian.

These proposed amendments are not offered as an alternative to any of the other proposals before the Committee. These proposals stand on their own to address the specific issues listed above which go to fundamental due process concerns and the overall integrity of guardianship proceedings. Importantly, these proposals do not inject any new legal concepts or mechanisms

into guardianship law in Montana. They are important additions, but relatively limited, and are all based upon language, requirements and principles already in the law.

It must also be noted that these amendments do not mandate court-appointed counsel. Though the proposed language preserves the discretion of the court regarding the appointment of counsel, it does require the court to make a specific finding as to why it chose not to appoint counsel. This would do no more than ensure that the question of counsel is fully considered by the court. It further utilizes the appointment of “visitors” as already set forth in statute to provide important information to the court at the outset of proceedings

This is very much a working draft designed to get the concepts before the Committee for its consideration. Nothing regarding the specific language utilized or the proposed location in existing statutes should be considered essential.

Proposed Amendments:

1. 72-5-315(2) - After the final sentence of that subsection, (i.e., “. . . to represent the person in the proceeding.”), add the following sentence:

If the allegedly incapacitated person does not have counsel of the person’s own choice and the court does not appoint an official or order the assignment of counsel to represent the person in the proceeding, the court shall make a specific finding as to why the appointment of counsel was not in the interest of justice.

2. 72-5-315(3) – Add the following after the sentence ending with “. . . and submit the visitor’s report in writing to the court.”

As part of the report, the visitor shall include any information obtained during the interviews and visits which indicates the allegedly incapacitated person will require an accommodation to fully participate in the proceedings. The visitor shall also include in the report any information indicating whether the appointment of counsel would benefit the person’s participation in the proceedings.

3. 72-5-316(1) – After the final sentence in this subsection, (“. . . shall make specific findings of fact.”), add the following:

As part of its findings, the court must set forth (1) the specific less restrictive alternatives to guardianship it considered and the basis for any determination such alternatives were insufficient to meet the needs of the incapacitated person and (2) the specific facts it relied upon for any determination that a limited guardianship or

conservatorship would not be all that is required for the care and protection of the incapacitated person and that a full guardianship was necessary.

4. 72-5-316 – After subsection (3), add a new subsection (4).

(4) An incapacitated person for whom a guardian has been appointed may discuss his legal rights with any private person, attorney or organization without the knowledge or consent of the guardian and may pursue a legal challenge to any aspect of the guardianship without the permission of the guardian.

Conclusion:

Montana’s guardianship statutes already support limiting the use of guardianships to maximize individual dignity and self-determination, but they lack clarity and are inconsistently implemented. The amendments proposed here are focused on due process, consideration of counsel, visitor input, findings on less restrictive alternatives, and ensuring the rights of the person to discuss or challenge their guardianship and would enhance fairness, strengthen judicial fact-finding, and protect the rights of people with disabilities.

ⁱ 29 U.S.C. § 794(a) (prohibiting disability discrimination in programs or activities that receive “federal financial assistance”); see also 42 U.S.C. §§ 12101(b)(1), et. seq. (The Americans with Disabilities Act, which created “a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities.”).

ⁱⁱ *Id.* at § 701(c).

ⁱⁱⁱ Mont. Const., Art. II, Sec. 4. (“The dignity of the human being is inviolable.”); see also *Baxter v. State*, 2009 MT 449, ¶ 64, 354 Mont. 234, 224 P.3d 1211 (Nelson, J., specially concurring) (“[I]ndividual dignity is, in all likelihood, the most important--and yet, in our times, the most fragile-- of all human rights protected by Montana's Constitution.”); and *Armstrong v. State*, 1999 MT 261, ¶ 30, 296 Mont. 361, 371-72, 989 P.2d 364, 372-73 (Each individual “has the capacity for and the right of rational self-determination which must be promoted and protected by civil society and political institutions.”) (citing Larry M. Ellison and Dennis Nettik Simmons, *Right of Privacy*, 48 Mont. L. Rev. 1, 17-19 (1987); Jeffrey S. Koehlinger, *Substantive Due Process Analysis and the Lockean Liberal Tradition: Rethinking the Modern Privacy Cases*, 65 Ind. L.J. 723 (1990)) (explaining John Locke's conception of "liberty" enshrined in the U.S. Constitution).

^{iv} 20 U.S.C. § 12101, et seq.

^v 28 C.F.R. § 35.130(d); see also *Olmstead v. L.C.*, 527 U.S. 581 (1999).

^{vi} *Abuses in Guardianship of the Elderly and Infirm: A National Disgrace. A Briefing by the Chairman of the Subcommittee on Health and Long-Term Care of the Select Committee on Aging*, 100th Cong. (prepared statement of Chairman Claude Pepper), H.R. Select Comm. on Aging, Subcomm. on Health and Long Term Care, Publ’n No. 100-641 at 4 (Sep. 25, 1987) (emphasis supplied), available at <https://files.eric.ed.gov/fulltext/ED297241.pdf>.


^{vii} See Mont. Code Ann. §§ 72-5-306, 315, 316.

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|  | MT | Missoula | Aaron Derry | Self | 03/08/2026 03:16 PM |
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Subject: Please delay implementation of Medicaid work requirement documentation

Comment: Chair and committee:

Thanks for your service to the state. I work as a physician assistant and have worked at St. Patrick Hospital since 2008. I work in infectious disease. St. Pat's serves a large portion of Western Montana; every week I care for patients from St. Regis to Dillon, Darby to Polson. I have seen how patients on Medicaid are better able to access care. I have had innumerable times where a patient with a complex infection would be stable to discharge from the hospital but needs to get IV antibiotics as an outpatient. If they are uninsured and live nearby, we set them up to get IV antibiotics at the hospital daily, which allows them to return to family obligations or work. However, if they live further away, they often have to stay at the hospital longer to get optimal care. Commonly patients would qualify for Medicaid, but are tripped by the process and wait times, which will become more complex with new reporting. Ensure the process is smooth and delay until January.

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|  | MT | Missoula | Alison Cobb | Self | 03/08/2026 04:26 PM |
|---|----|----------|-------------|------|---------------------|

Subject: please delay implementation to January.

Comment: I am a clinical psychologist in private practice in Missoula. I am very concerned about the implementation of the Rural Health Transformation Program, which essentially diverts funds from Montanans in need to unnecessary and ill-planned bureaucracy and red tape.

One way of reducing the harm of HR1 would be to delay implementation of Medicaid and SNAP cuts to 1/1/2027. There is no good rationale for implementing the cuts early, and delaying will allow more time for hiring more staff and updating the infrastructure to accommodate the new work requirements and eligibility determination schedule. I know from my clients that it is already very difficult to get help from their local Medicaid office; it is unrealistic to imagine the situation will improve with the changes of HR1 starting this summer. Montana is not ready. Please delay.