



Children, Families, Health, and Human Services Interim Committee

PO BOX 201706
Helena, MT 59620-1706
(406) 444-3064
FAX (406) 444-3036

63rd Montana Legislature

SENATE MEMBERS

DAVID WANZENRIED--Chair
TERRY MURPHY
ROGER WEBB
JONATHAN WINDY BOY

HOUSE MEMBERS

RON EHLI--Vice Chair
CAROLYN PEASE-LOPEZ
SCOTT REICHNER
CASEY SCHREINER

COMMITTEE STAFF

SUE O'CONNELL, Lead Staff
ALEXIS SANDRU, Staff Attorney
FONG HOM, Secretary

MINUTES LOG

Room 137, Capitol Building
Helena, Montana

January 10, 2014

Please note: These minutes provide abbreviated information about committee discussion, public testimony, action taken, and other activities. To the left of each section in these minutes is a time designation indicating the approximate amount of time in hours, minutes, and seconds that has elapsed since the start of the meeting. This time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <http://leg.mt.gov>. On the left-side menu of the home page, select *Committees*, then *Interim*. Once on the page for *Interim Committees*, scroll down to the appropriate committee. The written minutes summary, along with the audio and video recordings, are listed by meeting date on the interim committee's web page.

Hard copies of the exhibits for this meeting are available upon request. Legislative Council policy requires a charge of 15 cents a page for copies of the document.

COMMITTEE MEMBERS PRESENT

SEN. DAVID WANZENRIED, Chair
REP. RON EHLI, Vice Chair

SEN. TERRY MURPHY
SEN. ROGER WEBB

REP. CAROLYN PEASE-LOPEZ
REP. SCOTT REICHNER
REP. CASEY SCHREINER

COMMITTEE MEMBERS ABSENT

SEN. JONATHAN WINDY BOY

STAFF PRESENT

SUE O'CONNELL, Lead Staff
ALEXIS SANDRU, Staff Attorney
FONG HOM, Secretary

AGENDA & VISITORS' LIST

Agenda ([Attachment 1](#))
Visitors' list ([Attachment 2](#))

CALL TO ORDER AND ROLL CALL

00:00:01 Sen. Wanzenried called the meeting to order at 8:01 a.m. The secretary called roll. Sen. Windy Boy was absent. ([Attachment 3](#))

00:01:18 Sen. Wanzenried gave an overview of the meeting agenda.

AGENCY MONITORING: DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

- **Title IV-E Foster Care Demonstration Project**

00:01:59 Sarah Corbally, administrator of the DPHHS Child and Family Services Division, gave a presentation on the Montana Title IV-E Child Welfare Demonstration Project ([Exhibit 1](#)).

Committee questions

00:25:05 Sen. Murphy
00:25:43 Ms. Corbally
00:26:51 Sen. Murphy
00:27:22 Sen. Wanzenried
00:27:45 Ms. Corbally
00:29:34 Sen. Wanzenried
00:29:40 Ms. Corbally
00:30:15 Sen. Wanzenried
00:30:31 Ms. Corbally
00:31:58 Sen. Wanzenried
00:32:05 Ms. Corbally
00:32:14 Rep. Pease-Lopez
00:32:43 Ms. Corbally
00:33:30 Rep. Pease-Lopez
00:34:07 Ms. Corbally
00:34:14 Rep. Ehli
00:34:44 Ms. Corbally
00:37:03 Sen. Wanzenried

- **Legislative Finance Committee Medicaid Monitoring**

00:37:28 Lois Steinbeck presented a Medicaid Monitoring Report ([Exhibit 2](#)).

00:46:21 Ms. Steinbeck presented a report on the CHIP Bonus payments that Montana received ([Exhibit 3](#)).

Committee questions

00:50:40 Rep. Ehli
00:51:44 Ms. Steinbeck
00:52:04 Rep. Ehli

00:52:18 Ms. Steinbeck
00:52:59 Rep. Ehli
00:53:25 Ms. Steinbeck

- **Update on DPHHS Activities**

00:54:00 Richard Opper, Director, DPHHS, provided an update on DPHHS activities.

Committee questions

01:08:29 Rep. Ehli
01:08:51 Director Opper
01:09:18 John Glueckert, Superintendent of Montana State Hospital
01:11:37 Rep. Ehli
01:11:55 Mr. Glueckert
01:13:47 Sen. Webb
01:14:06 Mr. Glueckert
01:14:50 Rep. Pease-Lopez
01:15:19 Director Opper
01:16:46 Rep. Ehli
01:17:34 Director Opper
01:19:49 Rep. Ehli
01:20:19 Director Opper
01:21:09 Sen. Webb
01:21:38 Director Opper
01:21:55 Sen. Webb
01:22:20 Director Opper
01:22:25 Sen. Webb
01:22:37 Mary Dalton, State Medicaid Director, DPHHS
01:23:51 Sen. Webb
01:24:14 Ms. Dalton

01:25:10 Sen. Wanzonried asked Lewis and Clark County Attorney Leo Gallagher to discuss Montana State Hospital admissions from a county perspective.

01:25:43 Leo Gallagher

01:28:32 Sen. Wanzonried asked Director Opper look at the problem of over-capacity at the State Hospital.

- **Update on the Affordable Care Act and Montana Medicaid Program**

01:29:34 Jessica Rhoades, DPHHS, discussed a handout entitled, "Affordable Care Act Marketplace to Medicaid Account Transfers" ([Exhibit 4](#)).

HJR 16 STUDY: STATE-OPERATED INSTITUTIONS

USE OF 16-BED FACILITIES FOR MENTAL HEALTH TREATMENT

- **Overview of Behavioral Health Inpatient Facility Laws and Experiences**

01:37:26 Sue O'Connell, lead staff for the committee, discussed a briefing paper entitled "The Use of Small Mental Health Treatment Facilities" ([Exhibit 5](#)).

- **Panel Discussion: Agency and Provider Perspectives on 16-Bed Facilities**
Lyle Seavy, Ph.D., Director of Psychiatric Services, Billings Clinic
Paul Meyer, Executive Director, Western Montana Mental Health Center
Mary Dalton, Manager, DPHHS Medicaid and Health Services Branch

Panelists discussed regionalized mental health services as an alternative to centralized services, including the benefit of different approaches and the barriers to creating regional services or facilities.

01:40:40 Lyle Seavy
 01:45:58 Paul Meyer
 01:53:16 Mary Dalton

Committee questions

01:57:15 Rep. Ehli
 01:58:20 Mr. Seavy
 01:59:31 Rep. Ehli
 01:59:58 Mr. Seavy
 02:01:39 Rep. Ehli
 02:02:55 Mr. Meyer
 02:05:10 Sen. Murphy
 02:06:12 Ms. Dalton
 02:08:57 Sen. Wanzonried
 02:09:31 Mr. Seavy
 02:10:36 Mr. Meyer

BREAK - reconvene at 10:27 a.m.

ASSISTED OUTPATIENT TREATMENT

- **Montana Laws Governing Assisted Outpatient Treatment**
 02:27:53 Sue O'Connell discussed the briefing paper "Montana Laws Governing Assisted Outpatient Treatment" ([Exhibit 6](#)).

- **Panel Discussion: AOT Concepts and Implementation**
Kristina Ragosta, Treatment Advocacy Center (via phone)
Kim Coddling, Clinical Director, Gallatin Mental health Center
Leo Gallagher, Lewis and Clark County Attorney
Kim Lahiff, Regional Administrator, DOC Adult Probation and Parole
Beth Brenneman, Disability Rights Montana

Panelists discussed the principles related to outpatient treatment or community commitments, including best practices and factors necessary for successful programs.

02:30:51 Kristina Ragosta
 02:45:43 Kim Coddling ([Exhibit 7](#))
 02:51:43 Leo Gallagher ([Exhibit 8](#) and [Exhibit 9](#))
 03:05:32 Kim Lahiff

03:18:25 Beth Brenneman (**Exhibit 10**)

Committee questions

03:29:50 Rep. Ehli
03:30:14 Mr. Gallagher
03:30:24 Rep. Ehli
03:31:05 Mr. Gallagher
03:34:43 Sen. Wanzenried.
03:35:23 Ms. Coddling
03:36:52 Sen. Wanzenried
03:37:16 Ms. Coddling
03:37:28 Sen. Wanzenried
03:37:37 Ms. Coddling
03:38:21 Rep. Ehli
03:39:33 Mr. Gallagher
03:42:07 Sen. Wanzenried

PUBLIC COMMENT ON HJR 16 STUDY

03:43:10 Patti Jacques
03:47:55 Barb Mettles, Executive Director, South Central Montana Regional Mental Health Center
03:50:16 Alicia Smith, NAMI Board member, Bozeman
03:52:49 John Wilkinson, advocate and family member
03:57:58 Kevin Howlett, Director of Health and Human Services for the Confederated Salish and Kootenai Tribes
04:03:46 Nancy Olsen, Program Manager and Clinical Therapist, Western Montana Mental Health Facility, Butte
04:05:18 Clementine Lindley, Executive Director, NAMI Billings
04:07:59 Aart Dolman, Great Falls

COMMITTEE WORK SESSION: FURTHER DIRECTION ON HJR 16 STUDY

04:12:46 Ms. O'Connell discussed the documents that were in the committee's meeting packet.

Committee discussion

04:14:09 Rep. Pease-Lopez
04:15:54 Sen. Wanzenried
04:16:17 Rep. Reichner
04:16:56 Sen. Wanzenried
04:18:47 Rep. Reichner
04:19:57 Sen. Wanzenried
04:22:06 Rep. Reichner
04:22:35 Sen. Wanzenried
04:23:18 Rep. Ehli
04:25:17 Sen. Wanzenried
04:26:03 Sen. Webb
04:27:01 Sen. Wanzenried
04:27:16 Rep. Ehli
04:28:28 Rep. Pease-Lopez

04:29:21 Sen. Wanzenried
 04:29:59 Rep. Reichner
 04:30:53 Sen. Wanzenried
 04:31:25 Rep. Reichner
 04:31:49 Sen. Wanzenried
 04:31:57 Rep. Pease-Lopez
 04:32:32 Sen. Wanzenried
 04:32:39 Sen. Webb
 04:33:01 Sen. Murphy
 04:34:49 Sen. Wanzenried
 04:35:03 Sen. Murphy
 04:36:17 Sen. Wanzenried
 04:36:52 Ms. O'Connell
 04:38:55 Sen. Wanzenried
 04:39:08 Rep. Reichner
 04:39:52 Rep. Ehli
 04:40:31 Sen. Wanzenried
 04:41:24 Sen. Webb
 04:42:03 Sen. Wanzenried
 04:42:43 Rep. Pease-Lopez
 04:43:44 Sen. Wanzenried

LUNCH BREAK - reconvened at 1:19 p.m.

AGENCY OVERSIGHT: MEDICAID SENIOR & LONG-TERM CARE PROVIDER PANEL

**Rose Hughes, Executive Director, Montana Health Care Association
 Joel Peden, Montana Centers for Independent Living
 Jayne Lux, Community Medical Center**

Panelists discussed matters related to providing long-term care in nursing homes, assisted living facilities, and home settings.

05:19:51 Rose Hughes (**Exhibit 11 and Exhibit 12**)
 05:34:55 Joel Peden (**Exhibit 13**)
 05:45:35 Jayne Lux (**Exhibit 14**)

Committee questions

05:52:36 Sen. Wanzenried
 05:53:26 Ms. Hughes
 05:56:25 Mr. Peden
 05:57:47 Ms. Lux
 05:59:11 Mr. Peden
 05:59:54 Sen. Webb
 06:00:30 Mr. Peden
 06:02:03 Ms. Hughes

PUBLIC COMMENT ON NON-STUDY ITEMS

06:03:56 Janice Reichelt
 06:07:54 Todd Wood, Area II Agency on Aging (**Exhibit 15**)

06:11:47 Patti Jacques
06:13:08 Patty Rigney, Operations Manager, Nightingale Senior Caregiving
06:15:51 Erin McGowan, Montana Association of Area Agencies on Aging
06:19:11 Travis Hoffman

SJR 20 STUDY: PRESCRIPTION DRUG ABUSE

HIPAA ISSUES IN PRESCRIPTION DRUG MONITORING PROGRAMS

06:24:11 Alexis Sandru, committee attorney, gave a presentation on HIPAA issues in prescription drug monitoring ([Exhibit 16](#)).

Committee questions

06:33:17 Rep. Pease-Lopez
06:33:34 Ms. Sandru

PRESCRIPTION DRUG MONITORING PROGRAMS AND BEST PRACTICES

Sue O'Connell, Staff Researcher

Peter Kreiner, Ph.D., PDMP Center of Excellence, Brandeis University (via phone)

06:34:19 Sue O'Connell gave an overview of prescription drug monitoring programs in the states ([Exhibit 17](#)) and state approaches to curbing prescription drug abuse ([Exhibit 18](#)).

06:37:08 Peter Kreiner gave a presentation on best practices on monitoring prescription drugs ([Exhibit 19](#)).

Committee questions

06:59:36 Sen. Wanzenried
07:00:01 Mr. Kreiner
07:00:53 Sen. Wanzenried
07:01:37 Mr. Kreiner

BREAK - reconvened at 3:16 p.m.

PANEL DISCUSSION: STATE AGENCY EXPERIENCES IN PRESCRIPTION DRUG CLAIMS

Dave Campana, Medicaid Pharmacist, Montana Medicaid Program

Dr. Carla Huitt, Workers' Compensation Claims, Department of Labor and Industry

Bridget McGregor, Montana State Fund

Panelists discussed prescription drug claims in the Montana Medicaid Program and in workers' compensation cases, as well as efforts being taken to reduce use and abuse of the drugs.

07:15:37 Dave Campana ([Exhibit 20](#))
07:28:54 Dr. Carla Huitt ([Exhibit 21](#))

07:47:23 Bridget McGregor (**Exhibit 22**)

Committee questions

07:52:51 Sen. Wanzenried
07:53:25 Mr. Campana
07:53:49 Sen. Wanzenried
07:54:24 Mr. Campana
07:54:55 Sen. Wanzenried
07:56:05 Mr. Campana
07:56:16 Sen. Wanzenried
07:56:27 Mr. Campana
07:57:06 Sen. Wanzenried
07:57:25 Mr. Campana
07:57:36 Sen. Webb
07:58:02 Dr. Huitt
07:58:40 Sen. Webb
07:58:51 Dr. Huitt
07:59:41 Sen. Wanzenried
08:00:56 Dr. Huitt
08:02:13 Sen. Wanzenried
08:02:43 Dr. Huitt
08:04:10 Rep. Ehli
08:05:20 Mr. Campana
08:05:48 Rep. Ehli
08:06:18 Mr. Campana
08:06:49 Sen. Wanzenried
08:07:00 Mr. Campana
08:07:49 Sen. Wanzenried

PUBLIC COMMENT ON SJR 20 STUDY

08:08:45 Dr. Bill Gallea, St. Peter's Hospital and secretary-treasurer of the Montana
Medical Association
08:13:21 Dr. Paul Gorsuch, Great Falls

COMMITTEE WORK SESSION: FURTHER DIRECTION ON SJR 20 STUDY

08:15:09 Rep. Ehli
08:16:25 Sen. Wanzenried
08:16:51 Dr. Gallea
08:18:38 Sen. Wanzenried
08:18:57 Dr. Gallea
08:20:49 Sen. Wanzenried
08:20:52 Dr. Gallea
08:21:52 Sen. Webb
08:22:27 Rep. Ehli
08:23:07 Sen. Wanzenried
08:23:58 Dr. Gorsuch
08:24:00 Sen. Wanzenried
08:24:05 Dr. Gorsuch
08:24:10 Sen. Wanzenried

08:24:32 Dr. Gallea
08:25:33 Ms. O'Connell
08:27:26 Rep. Pease-Lopez
08:28:27 Sen. Wanzenried

GENERAL COMMITTEE WORK SESSION

08:29:33 Sen. Wanzenried
08:29:56 Sen. Webb
08:30:16 Sen. Wanzenried
08:30:20 Sen. Webb
08:31:21 Rep. Schreiner
08:32:32 Sen. Wanzenried
08:33:24 Rep. Pease-Lopez
08:33:52 Sen. Wanzenried
08:34:25 Rep. Pease-Lopez
08:34:58 Ms. O'Connell
08:35:29 Sen. Wanzenried
08:35:44 Rep. Ehli
08:36:28 Rep. Schreiner

NEXT MEETING DATE -- AGENDA ITEMS

08:37:10 Sen. Wanzenried discussed the next meeting dates of March 13 & 14.
08:37:30 Ms. O'Connell discussed a future agenda item, House Bill 142, which requires interim committees to review statutorily required advisory councils and reports of the agencies that they oversee.

ADJOURNMENT

08:39:16 With no further business before the committee, Sen. Wanzenried adjourned the meeting at 4:40 p.m.