

SENATE BILL NO. 326

INTRODUCED BY WATERMAN, O'KEEFE, HARPER, J. BROWN,
T. BECK, GRADY, JACOBSON, BRADLEY, BLAYLOCK, ECK,
YELLOWTAIL, B. BROWN, HAGER
BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS

IN THE SENATE

FEBRUARY 8, 1991 INTRODUCED AND REFERRED TO COMMITTEE
 ON PUBLIC HEALTH, WELFARE, & SAFETY.

 FIRST READING.

FEBRUARY 16, 1991 COMMITTEE RECOMMEND BILL
 DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 18, 1991 PRINTING REPORT.

FEBRUARY 19, 1991 SECOND READING, DO PASS.

FEBRUARY 20, 1991 ENGROSSING REPORT.

 THIRD READING, PASSED.
 AYES, 39; NOES, 10.

 TRANSMITTED TO HOUSE.

IN THE HOUSE

MARCH 4, 1991 INTRODUCED AND REFERRED TO COMMITTEE
 ON HUMAN SERVICES & AGING.

 FIRST READING.

MARCH 23, 1991 COMMITTEE RECOMMEND BILL BE
 CONCURRED IN AS AMENDED. REPORT
 ADOPTED.

APRIL 6, 1991 SECOND READING, CONCURRED IN.

 ON MOTION, RULES SUSPENDED. BILL
 PLACED ON THIRD READING THIS DAY.

 THIRD READING, CONCURRED IN.
 AYES, 84; NOES, 9.

 RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

APRIL 6, 1991 RECEIVED FROM HOUSE.

APRIL 17, 1991 SECOND READING, AMENDMENTS NOT
CONCURRED IN.
ON MOTION, CONFERENCE COMMITTEE
REQUESTED.

APRIL 18, 1991 CONFERENCE COMMITTEE APPOINTED.
IN THE HOUSE

APRIL 19, 1991 ON MOTION, CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.
IN THE SENATE

APRIL 20, 1991 CONFERENCE COMMITTEE REPORTED.
IN THE HOUSE

APRIL 23, 1991 SECOND READING, CONFERENCE COMMITTEE
REPORT REJECTED.
ON MOTION, CONFERENCE COMMITTEE
DISSOLVED.
ON MOTION, FREE CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.
IN THE SENATE

APRIL 23, 1991 ON MOTION, CONFERENCE COMMITTEE
DISSOLVED.
ON MOTION, FREE CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

APRIL 24, 1991 FREE CONFERENCE COMMITTEE REPORTED.

APRIL 25, 1991 SECOND READING, FREE CONFERENCE
COMMITTEE REPORT ADOPTED.
THIRD READING, FREE CONFERENCE
COMMITTEE REPORT ADOPTED.
IN THE HOUSE

APRIL 25, 1991 FREE CONFERENCE COMMITTEE
REPORT ADOPTED.
IN THE SENATE

APRIL 25, 1991

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

Senate BILL NO. *326*

INTRODUCED BY *Mignon Waters, Duke Hager, Bob Brown, Bob Spader, Gredley Blaylock, Bob Yellowtail, Bob Brown, Hager*
BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS

A BILL FOR AN ACT ENTITLED: "AN ACT TO EXPAND MEMBERSHIP OF THE BOARDS OF REGIONAL MENTAL HEALTH CORPORATIONS; AMENDING SECTION 53-21-204, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-21-204, MCA, is amended to read:

***53-21-204. Mental health corporations.** (1) Mental health regions shall be established in the state mental health plan and shall conform to the mental health regions as established in the state mental health construction plan promulgated by the board of health and environmental sciences under the federal Community Mental Health Centers Act.

(2) The mental health regions shall establish themselves under Title 35, chapter 2. Upon incorporation, a mental health region may enter into contracts with the department in order to carry out the department's comprehensive plan for mental health. These nonprofit corporations shall not be considered agencies of the department or the state of Montana; however, they may retain and enter into retirement programs as established under

Title 19, chapter 3, The Public Employees' Retirement System Act.

(3) Upon the establishment of the mental health regions, the county commissioners in each of the participating counties in the region--as--defined--in subsection--(5)-- designated as participating counties pursuant to subsection (8), shall designate appoint a person from their respective county to serve as a representative of the county on the regional mental health corporation board. In addition, the board must include three members-at-large who must be chosen according to the corporate bylaws from among three of the following groups:

- (a) persons with severe and disabling mental illnesses;
- (b) family members of persons with severe and disabling mental illnesses;
- (c) parents of children with emotional disturbances;
- (d) advocates of mental health services for the elderly; and
- (e) health care professionals.

(4) No more than one representative may be appointed from a single group listed in subsection (3).

(5) The board shall be established under guidelines adopted by the bylaws of the corporation. All appointments to the board shall be for terms of 2 years, and the department shall be notified in writing of all appointments.



1 ~~(3)~~(6) The duties of an organized regional mental
 2 health corporation board include:
 3 (a) annual review and evaluation of mental health needs
 4 and services within the region;
 5 (b) preparation and submission to the department and to
 6 each of the counties in the region of plans and budget
 7 proposals to provide and support mental health services
 8 within the region;
 9 (c) establishment of a recommended proportionate level
 10 of financial participation of each of the counties within
 11 the region in the provision of mental health services within
 12 the limits of this section;
 13 (d) receipt and administration of moneys and other
 14 support made available for the purposes of providing mental
 15 health services by the participating agencies, including
 16 grants from the United States government and other agencies,
 17 receipts for established fees for services rendered, tax
 18 moneys, gifts, donations, and any other type of support or
 19 income. All funds received by the board in accordance with
 20 this part shall be used to carry out the purposes of this
 21 part.
 22 (e) supervision of appropriate administrative staff
 23 personnel of the operation of community mental health
 24 services within the region;
 25 (f) keeping all records of the board and making reports

1 required by the department.

2 ~~(4)~~(7) Regional mental health board members shall be
 3 reimbursed from funds of the board for actual and necessary
 4 expenses incurred in attending meetings and in the discharge
 5 of board duties when assigned by the board.

6 ~~(5)~~(8) Prior to June 10 of each year, the board of
 7 mental health shall submit to the board of county
 8 commissioners of each of the counties within the constituted
 9 mental health region an annual budget, specifying each
 10 county's recommended proportionate share. If the board of
 11 county commissioners includes in the county budget the
 12 county's proportionate share of the regional board's budget,
 13 it shall be designated as a participating county. Funds for
 14 each participating county's proportionate share for the
 15 operation of mental health services within the region shall
 16 be derived from the county's general fund. If the general
 17 fund is insufficient to meet the approved budget, a levy not
 18 to exceed 1 mill may be made on the taxable valuation of the
 19 county in addition to all other taxes allowed by law to be
 20 levied on such property.

21 ~~(6)~~(9) The regional board of mental health with the
 22 approval of the department shall establish a schedule of
 23 fees for mental health services. The fees may be received by
 24 the board and used to implement the budget in accordance
 25 with 53-21-204~~(3)~~~~(d)~~ (6)(d)."

LC 1288/01

1 NEW SECTION. **Section 2.** **Effective date.** [This act] is
2 effective July 1, 1991.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0326, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

A bill for an act entitled: "An act to expand membership of the boards of Regional Mental Health Corporations; amending section 53-21-204, MCA; and providing an effective date."

ASSUMPTIONS:


1. This bill expands membership of the boards of Regional Mental Health Corporations.
2. This bill has no effect on expenditures or revenues of state agencies.

FISCAL IMPACT:

No fiscal impact.

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

The Community Mental Health Center budgets will increase statewide by about \$8,325 for the additional board member expenses. The assumption is there will be three new board members on five existing boards. Each new member will travel 200 miles at a reimbursable rate of \$0.26/mile and \$3.50/meal for 10 meetings per year.


ROD SUNDSTED, BUDGET DIRECTOR 2-13-91
Office of Budget and Program Planning DATE


MIGNON WATERMAN, PRIMARY SPONSOR 2/13/91
DATE

Fiscal Note for SB0326, as introduced

SB 326

APPROVED BY COMMITTEE
ON PUBLIC HEALTH, WELFARE
& SAFETY

SENATE BILL NO. 326

INTRODUCED BY WATERMAN, O'KEEFE, HARPER, J. BROWN,
T. BECK, GRADY, JACOBSON, BRADLEY, BLAYLOCK, ECK,
YELLOWTAIL, B. BROWN, HAGER

BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS

A BILL FOR AN ACT ENTITLED: "AN ACT TO EXPAND MEMBERSHIP OF
THE BOARDS OF REGIONAL MENTAL HEALTH CORPORATIONS; AMENDING
SECTION 53-21-204, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-21-204, MCA, is amended to read:

***53-21-204. Mental health corporations.** (1) Mental health regions shall be established in the state mental health plan and shall conform to the mental health regions as established in the state mental health construction plan promulgated by the board of health and environmental sciences under the federal Community Mental Health Centers Act.

(2) The mental health regions shall establish themselves under Title 35, chapter 2. Upon incorporation, a mental health region may enter into contracts with the department in order to carry out the department's comprehensive plan for mental health. These nonprofit corporations shall not be considered agencies of the

department or the state of Montana; however, they may retain and enter into retirement programs as established under Title 19, chapter 3, The Public Employees' Retirement System Act.

(3) Upon the establishment of the mental health regions, the county commissioners in each of the participating counties in the region, ~~as defined in subsection (5)~~ designated as participating counties pursuant to subsection (8), shall designate appoint a person from their respective county to serve as a representative of the county on the regional mental health corporation board. In addition, the board must include three members-at-large who must be chosen according to the corporate bylaws from among three of the following groups, AS FOLLOWS:

(A) TWO MEMBERS MUST BE CHOSEN, ONE FROM EACH OF THE FOLLOWING GROUPS:

(a)(I) persons with severe and disabling mental illnesses; AND

(b)(II) family members of persons with severe and disabling mental illnesses.

(B) ONE PERSON MUST BE CHOSEN FROM AMONG THE FOLLOWING THREE GROUPS:

(c)(I) parents of children with emotional disturbances;

(d)(II) advocates of mental health services for the elderly; and OR

SECOND READING
SB 326



~~(e)~~(III) health care professionals.

~~(4)--No-more-than-one-representative--may--be--appointed
from-a-single-group-listed-in-subsection-(3)--~~

~~(5)~~(4) The board shall be established under guidelines adopted by the bylaws of the corporation. All appointments to the board shall be for terms of 2 years, and the department shall be notified in writing of all appointments.

~~(3)~~~~(6)~~(5) The duties of an organized regional mental health corporation board include:

(a) annual review and evaluation of mental health needs and services within the region;

(b) preparation and submission to the department and to each of the counties in the region of plans and budget proposals to provide and support mental health services within the region;

(c) establishment of a recommended proportionate level of financial participation of each of the counties within the region in the provision of mental health services within the limits of this section;

(d) receipt and administration of moneys and other support made available for the purposes of providing mental health services by the participating agencies, including grants from the United States government and other agencies, receipts for established fees for services rendered, tax moneys, gifts, donations, and any other type of support or

income. All funds received by the board in accordance with this part shall be used to carry out the purposes of this part.

(e) supervision of appropriate administrative staff personnel of the operation of community mental health services within the region;

(f) keeping all records of the board and making reports required by the department.

~~(4)~~~~(7)~~(6) Regional mental health board members shall be reimbursed from funds of the board for actual and necessary expenses incurred in attending meetings and in the discharge of board duties when assigned by the board.

~~(5)~~~~(8)~~(7) Prior to June 10 of each year, the board of mental health shall submit to the board of county commissioners of each of the counties within the constituted mental health region an annual budget, specifying each county's recommended proportionate share. If the board of county commissioners includes in the county budget the county's proportionate share of the regional board's budget, it shall be designated as a participating county. Funds for each participating county's proportionate share for the operation of mental health services within the region shall be derived from the county's general fund. If the general fund is insufficient to meet the approved budget, a levy not to exceed 1 mill may be made on the taxable valuation of the

1 county in addition to all other taxes allowed by law to be
2 levied on such property.

3 ~~679(8)~~ The regional board of mental health with the
4 approval of the department shall establish a schedule of
5 fees for mental health services. The fees may be received by
6 the board and used to implement the budget in accordance
7 with ~~53-21-204(3)(d)~~ ~~67(d)~~ SUBSECTION (5)(D)."

8 NEW SECTION. Section 2. Effective date. [This act] is
9 effective July 1, 1991.

-End-

1 SENATE BILL NO. 326

2 INTRODUCED BY WATERMAN, O'KEEFE, HARPER, J. BROWN,
3 T. BECK, GRADY, JACOBSON, BRADLEY, BLAYLOCK, ECK,
4 YELLOWTAIL, B. BROWN, HAGER

5 BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS
6

7 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXPAND MEMBERSHIP OF
8 THE BOARDS OF REGIONAL MENTAL HEALTH CORPORATIONS; AMENDING
9 SECTION 53-21-204, MCA; AND PROVIDING AN EFFECTIVE DATE."
10

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 **Section 1.** Section 53-21-204, MCA, is amended to read:

13 "53-21-204. Mental health corporations. (1) Mental
14 health regions shall be established in the state mental
15 health plan and shall conform to the mental health regions
16 as established in the state mental health construction plan
17 promulgated by the board of health and environmental
18 sciences under the federal Community Mental Health Centers
19 Act.

20 (2) The mental health regions shall establish
21 themselves under Title 35, chapter 2. Upon incorporation, a
22 mental health region may enter into contracts with the
23 department in order to carry out the department's
24 comprehensive plan for mental health. These nonprofit
25 corporations shall not be considered agencies of the

1 department or the state of Montana; however, they may retain
2 and enter into retirement programs as established under
3 Title 19, chapter 3, The Public Employees' Retirement System
4 Act.

5 (3) Upon the establishment of the mental health
6 regions, the county commissioners in each of the
7 participating counties in the region--as--defined--in
8 subsection-(5) designated as participating counties pursuant
9 to subsection (8), shall designate appoint a person from
10 their respective county to serve as a representative of the
11 county on the regional mental health corporation board. In
12 addition, the board must include three members-at-large who
13 must be chosen according to the corporate bylaws from--among
14 three-of-the-following-groups, AS FOLLOWS:

15 (A) TWO MEMBERS MUST BE CHOSEN, ONE FROM EACH OF THE
16 FOLLOWING GROUPS:

17 (a)(I) persons with severe and disabling mental
18 illnesses; AND

19 (b)(II) family members of persons with severe and
20 disabling mental illnesses;.

21 (B) ONE PERSON MUST BE CHOSEN FROM AMONG THE FOLLOWING
22 THREE GROUPS:

23 (c)(I) parents of children with emotional disturbances;

24 (d)(II) advocates of mental health services for the
25 elderly; and OR

THIRD READING

1 ~~te~~(III) health care professionals.
 2 ~~(4)--No more than one representative may be appointed~~
 3 ~~from a single group listed in subsection (3):~~

4 ~~(5)(4)~~ The board shall be established under guidelines
 5 adopted by the bylaws of the corporation. All appointments
 6 to the board shall be for terms of 2 years, and the
 7 department shall be notified in writing of all appointments.

8 ~~(3)(6)(5)~~ The duties of an organized regional mental
 9 health corporation board include:

10 (a) annual review and evaluation of mental health needs
 11 and services within the region;

12 (b) preparation and submission to the department and to
 13 each of the counties in the region of plans and budget
 14 proposals to provide and support mental health services
 15 within the region;

16 (c) establishment of a recommended proportionate level
 17 of financial participation of each of the counties within
 18 the region in the provision of mental health services within
 19 the limits of this section;

20 (d) receipt and administration of moneys and other
 21 support made available for the purposes of providing mental
 22 health services by the participating agencies, including
 23 grants from the United States government and other agencies,
 24 receipts for established fees for services rendered, tax
 25 moneys, gifts, donations, and any other type of support or

1 income. All funds received by the board in accordance with
 2 this part shall be used to carry out the purposes of this
 3 part.

4 (e) supervision of appropriate administrative staff
 5 personnel of the operation of community mental health
 6 services within the region;

7 (f) keeping all records of the board and making reports
 8 required by the department.

9 ~~(4)(7)(6)~~ Regional mental health board members shall be
 10 reimbursed from funds of the board for actual and necessary
 11 expenses incurred in attending meetings and in the discharge
 12 of board duties when assigned by the board.

13 ~~(5)(8)(7)~~ Prior to June 10 of each year, the board of
 14 mental health shall submit to the board of county
 15 commissioners of each of the counties within the constituted
 16 mental health region an annual budget, specifying each
 17 county's recommended proportionate share. If the board of
 18 county commissioners includes in the county budget the
 19 county's proportionate share of the regional board's budget,
 20 it shall be designated as a participating county. Funds for
 21 each participating county's proportionate share for the
 22 operation of mental health services within the region shall
 23 be derived from the county's general fund. If the general
 24 fund is insufficient to meet the approved budget, a levy not
 25 to exceed 1 mill may be made on the taxable valuation of the

1 county in addition to all other taxes allowed by law to be
2 levied on such property.

3 ~~(6)(9)(8)~~ The regional board of mental health with the
4 approval of the department shall establish a schedule of
5 fees for mental health services. The fees may be received by
6 the board and used to implement the budget in accordance
7 with ~~53-21-204(3)(d)~~ ~~(6)(d)~~ SUBSECTION (5)(D)."

8 NEW SECTION. Section 2. Effective date. [This act] is
9 effective July 1, 1991.

-End-

HOUSE STANDING COMMITTEE REPORT

March 23, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Human Services and Aging report that Senate Bill 326 (third reading copy -- blue) be concurred in as amended .

Signed: Angela Russell
Angela Russell, Chairman

Carried by: Rep. J. Brown

And, that such amendments read:

1. Title, line 8.

Following: "CORPORATIONS"

Insert: "WHICH DO NOT ALREADY INCLUDE CERTAIN CONSUMER MEMBERS"

2. Page 2, line 12.

Following: "addition,"

Insert: "unless the groups in subdivisions (a) and (b) are already represented,"

HOUSE
SB 326

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SENATE BILL NO. 326

INTRODUCED BY WATERMAN, O'KEEFE, HARPER, J. BROWN,
T. BECK, GRADY, JACOBSON, BRADLEY, BLAYLOCK, ECK,
YELLOWTAIL, B. BROWN, HAGER
BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS

A BILL FOR AN ACT ENTITLED: "AN ACT TO EXPAND MEMBERSHIP OF
THE BOARDS OF REGIONAL MENTAL HEALTH CORPORATIONS THAT DO
NOT ALREADY INCLUDE CERTAIN CONSUMER MEMBERS; AMENDING
SECTION 53-21-204, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-21-204, MCA, is amended to read:

"53-21-204. Mental health corporations. (1) Mental health regions shall be established in the state mental health plan and shall conform to the mental health regions as established in the state mental health construction plan promulgated by the board of health and environmental sciences under the federal Community Mental Health Centers Act.

(2) The mental health regions shall establish themselves under Title 35, chapter 2. Upon incorporation, a mental health region may enter into contracts with the department in order to carry out the department's comprehensive plan for mental health. These nonprofit

corporations shall not be considered agencies of the department or the state of Montana; however, they may retain and enter into retirement programs as established under Title 19, chapter 3, The Public Employees' Retirement System Act.

(3) Upon the establishment of the mental health regions, the county commissioners in each of the participating counties in the region, ~~as defined in subsection (5)~~ designated as participating counties pursuant to subsection (8), shall designate appoint a person from their respective county to serve as a representative of the county on the regional mental health corporation board. In addition, UNLESS THE GROUPS IN SUBSECTIONS (3)(A) AND (3)(B) ARE ALREADY REPRESENTED, the board must include three members-at-large who must be chosen according to the corporate bylaws from among three of the following groups, AS FOLLOWS:

(A) TWO MEMBERS MUST BE CHOSEN, ONE FROM EACH OF THE FOLLOWING GROUPS:

(i) persons with severe and disabling mental illnesses; AND

(ii) family members of persons with severe and disabling mental illnesses.

(B) ONE PERSON MUST BE CHOSEN FROM AMONG THE FOLLOWING THREE GROUPS:



1 ~~(c)~~(I) parents of children with emotional disturbances;
 2 ~~(d)~~(II) advocates of mental health services for the
 3 elderly; and OR

4 ~~(e)~~(III) health care professionals.

5 ~~(4)--No more than one representative may be appointed~~
 6 ~~from a single group listed in subsection (3)r~~

7 ~~(5)~~(4) The board shall be established under guidelines
 8 adopted by the bylaws of the corporation. All appointments
 9 to the board shall be for terms of 2 years, and the
 10 department shall be notified in writing of all appointments.

11 ~~(3)~~(6)(5) The duties of an organized regional mental
 12 health corporation board include:

13 (a) annual review and evaluation of mental health needs
 14 and services within the region;

15 (b) preparation and submission to the department and to
 16 each of the counties in the region of plans and budget
 17 proposals to provide and support mental health services
 18 within the region;

19 (c) establishment of a recommended proportionate level
 20 of financial participation of each of the counties within
 21 the region in the provision of mental health services within
 22 the limits of this section;

23 (d) receipt and administration of moneys and other
 24 support made available for the purposes of providing mental
 25 health services by the participating agencies, including

1 grants from the United States government and other agencies,
 2 receipts for established fees for services rendered, tax
 3 moneys, gifts, donations, and any other type of support or
 4 income. All funds received by the board in accordance with
 5 this part shall be used to carry out the purposes of this
 6 part.

7 (e) supervision of appropriate administrative staff
 8 personnel of the operation of community mental health
 9 services within the region;

10 (f) keeping all records of the board and making reports
 11 required by the department.

12 ~~(4)~~(7)(6) Regional mental health board members shall be
 13 reimbursed from funds of the board for actual and necessary
 14 expenses incurred in attending meetings and in the discharge
 15 of board duties when assigned by the board.

16 ~~(5)~~(8)(7) Prior to June 10 of each year, the board of
 17 mental health shall submit to the board of county
 18 commissioners of each of the counties within the constituted
 19 mental health region an annual budget, specifying each
 20 county's recommended proportionate share. If the board of
 21 county commissioners includes in the county budget the
 22 county's proportionate share of the regional board's budget,
 23 it shall be designated as a participating county. Funds for
 24 each participating county's proportionate share for the
 25 operation of mental health services within the region shall

1 be derived from the county's general fund. If the general
2 fund is insufficient to meet the approved budget, a levy not
3 to exceed 1 mill may be made on the taxable valuation of the
4 county in addition to all other taxes allowed by law to be
5 levied on such property.

6 ~~(6)(9)(8)~~ The regional board of mental health with the
7 approval of the department shall establish a schedule of
8 fees for mental health services. The fees may be received by
9 the board and used to implement the budget in accordance
10 with ~~53-21-204(3)(d)~~ ~~(6)(d)~~ SUBSECTION (5)(D)."

11 NEW SECTION. Section 2. Effective date. [This act] is
12 effective July 1, 1991.

-End-

Conference Committee
on Senate Bill No. 326
Report No. 1, April 20, 1991

Page 1 of 1

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 326, met and considered the amendments in the House Human Services and Aging Standing Committee Report dated March 23, 1991 and recommend that the amendments in the March 23 report be stricken in their entirety.

And that this Conference Committee report be adopted.

For the Senate:

Wally Eck
Chair, Sen. Eck

Mignon Waterman
Sen. Waterman

Allen Aklestad
Sen. Aklestad

For the House:

Janice Stickney
Chair, Rep. Stickney

B. Barnhart
Rep. Barnhart

Rep. R. Johnson

Jan 4-22-91
Amd. Coord.

SB 4-22-91 3:25
Sec. of Senate

ADOPT

REJECT

CCR 41
SB 326
851130CC.Sji

Free Conference Committee
on Senate Bill No. 326
Report No. 1, April 24, 1991

Page 1 of 1

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill No. 326, met, considered, and we recommend that Senate Bill No. 326 (reference copy - salmon) be amended as follows:

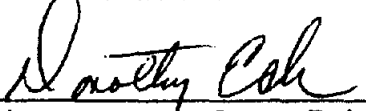
1. Title, lines 8 and 9.
Following: "CORPORATIONS"
Strike: "THAT DO NOT ALREADY"
Insert: "TO"

2. Page 3, line 7.
Following: line 6
Insert: "(4) Nothing in this section prohibits a regional mental health corporation from voluntarily expanding its board membership to include members-at-large, appointed by the board, from any of the groups described in subsections (3)(a) and (3)(b)."
Renumber: subsequent subsections

3. Page 5, line 10.
Strike: "(5)(D)"
Insert: "(6)(d)"

And that this Conference Committee report be adopted.

For the Senate:


Chair, Sen. Eck

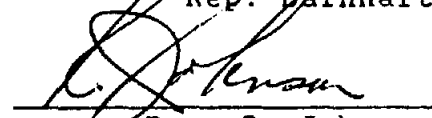

Sen. Waterman

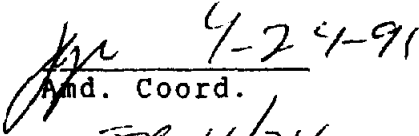

Sen. Aklestad

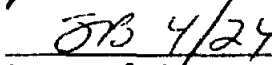
For the House:


Chair, Rep. Stickney


Rep. Barnhart


Rep. R. Johnson


And. Coord.


Sec. of Senate

ADOPT

REJECT

FCCR#1
SB 326
881131CC.Sji

SENATE BILL NO. 326

INTRODUCED BY WATERMAN, O'KEEFE, HARPER, J. BROWN,
T. BECK, GRADY, JACOBSON, BRADLEY, BLAYLOCK, ECK,
YELLOWTAIL, B. BROWN, HAGER

BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS

A BILL FOR AN ACT ENTITLED: "AN ACT TO EXPAND MEMBERSHIP OF
THE BOARDS OF REGIONAL MENTAL HEALTH CORPORATIONS ~~THAT--BE~~
~~NOT--ALREADY~~ TO INCLUDE CERTAIN CONSUMER MEMBERS; AMENDING
SECTION 53-21-204, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-21-204, MCA, is amended to read:

"53-21-204. Mental health corporations. (1) Mental health regions shall be established in the state mental health plan and shall conform to the mental health regions as established in the state mental health construction plan promulgated by the board of health and environmental sciences under the federal Community Mental Health Centers Act.

(2) The mental health regions shall establish themselves under Title 35, chapter 2. Upon incorporation, a mental health region may enter into contracts with the department in order to carry out the department's comprehensive plan for mental health. These nonprofit

corporations shall not be considered agencies of the department or the state of Montana; however, they may retain and enter into retirement programs as established under Title 19, chapter 3, The Public Employees' Retirement System Act.

(3) Upon the establishment of the mental health regions, the county commissioners in each of the participating counties in the region, ~~as defined in subsection (5)~~ designated as participating counties pursuant to subsection (8), shall designate appoint a person from their respective county to serve as a representative of the county on the regional mental health corporation board. In addition, UNLESS THE GROUPS IN SUBSECTIONS (3)(A) AND (3)(B) ARE ALREADY REPRESENTED, the board must include three members-at-large who must be chosen according to the corporate bylaws from among three of the following groups, AS FOLLOWS:

(A) TWO MEMBERS MUST BE CHOSEN, ONE FROM EACH OF THE FOLLOWING GROUPS:

(a)(I) persons with severe and disabling mental illnesses; AND

(b)(II) family members of persons with severe and disabling mental illnesses.

(B) ONE PERSON MUST BE CHOSEN FROM AMONG THE FOLLOWING THREE GROUPS:



1 fe}(I) parents of children with emotional disturbances;
 2 fd}(II) advocates of mental health services for the
 3 elderly; and OR
 4 fe}(III) health care professionals.
 5 ~~f4)--No--more--than--one--representative--may--be--appointed~~
 6 ~~from-a-single-group-listed-in-subsection-(3)-~~

7 (4) NOTHING IN THIS SECTION PROHIBITS A REGIONAL MENTAL
 8 HEALTH CORPORATION FROM VOLUNTARILY EXPANDING ITS BOARD
 9 MEMBERSHIP TO INCLUDE MEMBERS-AT-LARGE, APPOINTED BY THE
 10 BOARD, FROM ANY OF THE GROUPS DESCRIBED IN SUBSECTIONS
 11 (3)(A) AND (3)(B).

12 f5}f4}(5) The board shall be established under
 13 guidelines adopted by the bylaws of the corporation. All
 14 appointments to the board shall be for terms of 2 years, and
 15 the department shall be notified in writing of all
 16 appointments.

17 f3}f6}f5}(6) The duties of an organized regional mental
 18 health corporation board include:

19 (a) annual review and evaluation of mental health needs
 20 and services within the region;

21 (b) preparation and submission to the department and to
 22 each of the counties in the region of plans and budget
 23 proposals to provide and support mental health services
 24 within the region;

25 (c) establishment of a recommended proportionate level

1 of financial participation of each of the counties within
 2 the region in the provision of mental health services within
 3 the limits of this section;

4 (d) receipt and administration of moneys and other
 5 support made available for the purposes of providing mental
 6 health services by the participating agencies, including
 7 grants from the United States government and other agencies,
 8 receipts for established fees for services rendered, tax
 9 moneys, gifts, donations, and any other type of support or
 10 income. All funds received by the board in accordance with
 11 this part shall be used to carry out the purposes of this
 12 part.

13 (e) supervision of appropriate administrative staff
 14 personnel of the operation of community mental health
 15 services within the region;

16 (f) keeping all records of the board and making reports
 17 required by the department.

18 ~~f4}f7}f6}(7) Regional mental health board members shall~~
 19 ~~be reimbursed from funds of the board for actual and~~
 20 ~~necessary expenses incurred in attending meetings and in the~~
 21 ~~discharge of board duties when assigned by the board.~~

22 ~~f5}f8}f7}(8) Prior to June 10 of each year, the board~~
 23 ~~of mental health shall submit to the board of county~~
 24 ~~commissioners of each of the counties within the constituted~~
 25 ~~mental health region an annual budget, specifying each~~

1 county's recommended proportionate share. If the board of
2 county commissioners includes in the county budget the
3 county's proportionate share of the regional board's budget,
4 it shall be designated as a participating county. Funds for
5 each participating county's proportionate share for the
6 operation of mental health services within the region shall
7 be derived from the county's general fund. If the general
8 fund is insufficient to meet the approved budget, a levy not
9 to exceed 1 mill may be made on the taxable valuation of the
10 county in addition to all other taxes allowed by law to be
11 levied on such property.

12 ~~(6)(9)(8)(9)~~ The regional board of mental health with
13 the approval of the department shall establish a schedule of
14 fees for mental health services. The fees may be received by
15 the board and used to implement the budget in accordance
16 with 53-21-204~~(3)(d)~~ ~~(6)(d)~~ SUBSECTION (5)(B) (6)(D)."

17 NEW SECTION. Section 2. Effective date. [This act] is
18 effective July 1, 1991.

-End-