

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
55th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON HUMAN SERVICES**

**Call to Order:** By Chairman Duane Grimes, on January 31, 1997, at 3:00 P.M., in Room 104.

**ROLL CALL**

**Members Present:**

Rep. Duane Grimes, Chairman (R)  
Rep. Loren L. Soft, Vice Chairman (Majority) (R)  
Rep. Carolyn M. Squires, Vice Chairman (Minority) (D)  
Rep. Darrel Adams (R)  
Rep. Chris Ahner (R)  
Rep. Ellen Bergman (R)  
Rep. William E. Boharski (R)  
Rep. John C. Bohlinger (R)  
Rep. Bill Carey (D)  
Rep. Tim Dowell (D)  
Rep. Deb Kottel (D)  
Rep. Billie Krenzler (D)  
Rep. Brad Molnar (R)  
Rep. Wes Prouse (R)  
Rep. Diane Sands (D)  
Rep. Bruce T. Simon (R)  
Rep. Liz Smith (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** David Niss, Legislative Services Division  
Deb Thompson, Committee Secretary

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 328 - 1/24  
HB 333 - 1/24  
HB 340 - 1/24  
Executive Action: HB 256 DO PASS AS AMENDED  
HB 250 TABLE  
HB 340 DO PASS AS AMENDED  
SB 14 DO CONCUR

**HEARING ON HB 328**

**Sponsor:** Rep. Jon Ellingson, HD 65, Exhibit 1, 1a (statute; comparison shopping) {Tape: 1; Side: A; Approx. Time Count: 0.5-

7.7; Comments: residents deprived of right to purchase drugs at pharmacy of choice.}

**Proponents:** Dick Patterson, President, Montana Senior Citizens Association, Exhibit 2, (research) {Tape: 1; Side: A; Approx. Time Count: 8.2-10.4; Comments: opportunity to insure patients are not inmates of an institution.}

Doug Campbell, Exhibit 3, 3a, 3b

Irene Theurer, AARP

Verne Bertelson, Legacy Legislature

Melissa Case, United Health Care Coalition {Tape: 1; Side: A; Approx. Time Count: 14.3-16.3; Comments: underpaid, underfunded, should have choice; price gouging at it's worse.}

Derek Birnie, Montana Peoples' Action

**Opponents:** Rose Hughes, Executive Director of the Montana Health Care Association; Exhibits-4, 4a, 4b, 4c, 4d, 4e {Tape: 1; Side: A; Approx. Time Count: 17.6-27; Comments: federal guidelines, 24 hour availability, uniform packaging.}

Joe McCarty {Tape: 1; Side: A; Approx. Time Count: 27.2; Comments: safety issue, unit dose system safe and effective in not making mistakes.}

Randy Harrington, Pharmacist, Price Rite Drug {Tape: 1; Side: A; Approx. Time Count: 31.8-34.2; Comments: clarified fee-\$4.83 per prescription.}

Kent Hanawalt, Manager, Broadwater Health Care in Townsend {Tape: 1; Side: A; Approx. Time Count: 34.3-36.8; Comments: recoup cost of acquiring and dispensing; right to control medications, risk of overdose.}

Bill Clausen, Pharmacy Manager from Great Falls, Exhibit 5 {Tape: 1; Side: A; Approx. Time Count: 36.8; Comments: standards, concerns about unit dose system, discussed importance of common policies.}

Bob Olson, Montana Hospital Association

Rosemary Lynch, Riverside, Missoula

Connie Thiselle, Hillside Manor

Ron Bergum, Bergum Drug, Helena

Diane Moothart, Pharmacist

Robert Dehardo, Deer Lodge

Donald Beadle, Administrator, Mountain View Care Center; Exhibit 6

**Informational Testimony:** Linda Sandman, Certification Bureau, Exhibit 7 {Tape: 1; Side: A; Approx. Time Count: 43.7; Comments: information from Baltimore.}

**Questions From Committee Members and Responses:** {Tape: 1; Side: B; Approx. Time Count: tape was going backwards in the negative from rewinding to start; Comments: questions 0.2-28.2.}

**Closing by Sponsor:** Rep. Ellingson closed {Tape: 1; Side: B; Approx. Time Count: 29.1; Comments: residents should have right to choose pharmacy; this needs to be codified in order to be free from victimization.}

### HEARING ON HB 333

**Sponsor:** Rep. Loren Soft, HD 12 {Tape: 1; Side: B; Approx. Time Count: 31.4; Comments: infant mortality review teams, background, statistics; potential impact of Teams, better education, communication, expedite intervention, establish profiles, prevention strategies.}

**Proponents:** John Melcher, Jr, Attorney for Health and Human Services {Tape: 1; Side: B; Approx. Time Count: 35.9; Comments: access to information; discussed team makeup.}

Jerry Loendorf, Montana Medical Association, Exhibit 8-statute

Christina Lynchfield, Public Health Nurse, Missoula County {Tape: 2; Side: A; Approx. Time Count: 0.8; Comments: access to information minimal; need to understand underlying causes of death.}

John Connor, Chief of the County Prosecutors Bureau, Department of Justice

Linda Neiman, SIDS mother {Tape: 2; Side: A; Approx. Time Count: 5.7; Comments: described onslaught of helpers, investigators, agencies; professionals helped and were compassionate, did not treat as statistic; review teams will supply information that will ultimately help the survivors.}

Mickey Nelson, Lewis and Clark County Coroner {Tape: 2; Side: A; Approx. Time Count: 10.2; Comments: discussed the Arizona three year program that helps with problems as they arise.}

Robert Runkel, Special Education, Department of Public Instruction {Tape: 2; Side: A; Approx. Time Count: 11.2; Comments: statistics of violent youth death will improve programs in prevention.}

Kate Cholewa, Montana Womens' Lobby, suggested an amendment

Hank Hudson, Child and Family Services Division {Tape: 2; Side: A; Approx. Time Count: 13.7; Comments: removes barriers, facilitates services.}

Steve Yeakel, Montana Childrens' Alliance, education, research and knowledge

Barbara Booher {Tape: 2; Side: A; Approx. Time Count: 16.1; Comments: review teams will provide needed answers.}

Karen Sedlock

Jim Ahrens, Montana Hospital Association

Russ Hill, Montana Trial Lawyers Association

Doug Moore

Arlette Randash

Mary Krushensky, Yellowstone MIAMI, (Exhibit A-handed in after the hearing but entered into the record)

**Opponents:** None

**Questions From Committee Members and Responses:** {Tape: 2; Side: A; Approx. Time Count: 19.5-38.0; Comments: not investigatory team but prevention strategies.}

Rep. Prouse {Tape: 2; Side: A; Approx. Time Count: 38.0-40.6; Comments: Ms. Lynchfield discussed team members-Exhibit 9.}

Ms. Lynchfield continued {Tape: 2; Side: B; Approx. Time Count: 0-5.0; Comments: counties do it now but are prevented from sharing information, Exhibit 10, 10a, 10b, 10c.}

Sam Sperry, Chief, Vital Statistics Bureau {Tape: 2; Side: B; Approx. Time Count: 15.9-19.8; Comments: defined reportable fetal demise.}

**Closing by Sponsor:** Rep. Soft closed HB 333 {Tape: 2; Side: B; Approx. Time Count: 29.6; Comments: alternative way to explore prevention strategies, not investigation into privacy.}

#### **HEARING ON HB 340**

**Sponsor:** Rep. Deb Kottel, HD 45 {Tape: 2; Side: B; Approx. Time Count: 33.4-36; Comments: where to file death certificate.}

**Proponents:** Sam Sperry, Exhibit 11, 11a {Tape: 3; Side: A; Approx. Time Count: 0; Comments: guidelines and regulations needed to expedite process.}

Steve Yeakel, Executive Director Montana Funeral Directors Association

**Opponents:** None

**Informational Testimony:** Mickey Nelson, Coroner {Tape: 3; Side: A; Approx. Time Count: 2.1-4.5; Comments: suggested revision.}

**Questions From Committee Members and Responses:** {Tape: 3; Side: A; Approx. Time Count: 4.6-8.6; Comments: models federal law.}

**Closing by Sponsor:** Rep. Kottel closed.

#### EXECUTIVE ACTION ON HB 340

**Motion/Vote:** Rep. Krenzler moved DO PASS HB 340. Rep. Kottel discussed an error in the title. Rep. Kottel moved the amendment. The motion passed. Rep. Kottel moved the bill as amended. The motion PASSED unanimously.

#### EXECUTIVE ACTION ON HB 256

**Motion/Vote:** Rep. Bergman moved DO PASS HB 256. Rep. Squires moved amendment #1.

{Tape: 3; Side: A; Approx. Time Count: 14.7; Comments: Exhibit 12 from Board of Nursing.}

#### Discussion:

Rep. Bergman rejected the amendment, should not restrict licensees. Rep. Soft, against the amendment, they can use good judgement.

**Vote:** The question was called on Amendment #1. The motion FAILED 5-10.

**Motion/Vote:** Rep. Bergman moved to pass Amendment #2. The question was called on the amendment. The motion PASSED unanimously.

#### Motion/Vote:

Rep. Ahner moved DO PASS HB 256 AS AMENDED. The motion PASSED 13-2. {Tape: 3; Side: A; Approx. Time Count: 18.6.}

EXECUTIVE ACTION ON SB 14

Motion/Vote: Rep. Squires moved DO CONCUR. The question was called. The motion PASSED unanimously. Rep. Bohlinger will carry the bill.

EXECUTIVE ACTION ON HB 250

Motion: Rep. Simon moved DO PASS HB 250. *{Tape: 3; Side: A; Approx. Time Count: 22.0-38; Comments: Rep. Molnar discussed concerns that had not been addressed.}*

Motion/Vote:

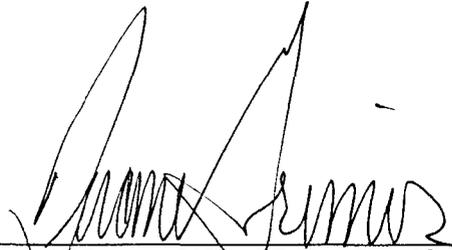
Rep. Molnar moved to put the bill in a subcommittee in order to consider proposed amendments. The question was called. The motion FAILED 9-7 on a roll call vote.

Motion/Vote:

Rep. Simon moved an alternate motion to TABLE HB 250. The motion PASSED on a roll call vote 9-6.

ADJOURNMENT

Adjournment: 6:50



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REP. DUANE GRIMES, Chairman



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DEB THOMPSON, Secretary

DG/dt