

MINUTES OF THE MEETING

PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE

January 29, 1977

The ninth meeting of the Public Health, Welfare and Safety Committee convened at 11:00 A.M. Saturday, January 29, 1977, in Room 405 of the State Capitol Building.

ROLL CALL: All members were present with the exception of Senator Norman.

CONSIDERATION OF SB217: Senator Healy presented his bill to the Committee, stating it was to amend the existing statute; he then gave the history behind the bill's conception and reasons this law should be changed. The main thrust of the amendment would be to help the widows of the miners' disease, who became widows prior to March 15, 1974. Widows of silicotics patients receive a monthly sum of \$175.00 per month if the husband died after March 14, 1974 - prior to that period, the payment monthly is \$87.50. This bill would make the payments even, i.e., the widows of persons dying prior to March 14, 1974, would get the same as widows of men who died after that date. It would also strike the stipulation that the widow could not collect if she has taxable income of \$6,800 plus.

Persons testifying in support of this legislation are:

1. Ernie Post, staff representative, Montana AFL-CIO.
2. John Bell.
3. Jim Murphy, Workmen's Compensation

Ernie Post handed out two sheets to the Committee. One points out the age groups of widows currently receiving monthly sums (256, with 74% of those over 70 years old). The second handout sets out the fiscal impact of the proposed legislation. (Time was later spent by the Committee in perusing this fiscal sheet.) Mr. Post indicated that unless this legislation is passed, some of these ladies would have to be put on welfare. He added he feels these widows should be treated the same as the widows who lost their husbands after March 14, 1974. (See Exhibits "A" and "B")

John Bell testified in favor of SJR15. He appealed to the Committee from the standpoint of "where there is a wrong, there is a remedy".

Following Senator Healy's closing statement, Chairman Stephens turned to questions from the Committee.

Senator Himsel questioned how many widows were denied the benefits - Jim Murphy of Workmen's Compensation, answered that 33% of the applications they receive from people who claim to have

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silicotics do not have it. The only way a widow would not be eligible for benefits would be those who are above the \$6,800 taxable income level. To which Senator Himsel asked how many were denied on the basis of the cut-off figures - the answer was, "less than 10".

Senator Olson questioned Senator Healy as to the number of cases presently being diagnosed - the answer was that there are now very, very few being diagnosed as silicotics. It was brought out by Senator Olson that, because there are so few diagnosed now, it would seem that the sums paid out over the following years would slack off due to the present widows dying. Also, those persons who now are diagnosed silicotics are covered under the Occupational Disease Act under Workmen's Compensation. Senator Stephens questioned Senator Healy, as did others, regarding the true fiscal impact as set out in Post's handout. Senator Himsel questioned whether this bill would go to Finance and Claims, since the appropriation figure seemed substantial.

The hearing was concluded on SB217, with NO ACTION taken.

CONSIDERATION OF SJR15: Senator Towe introduced his bill to the Committee, saying Montana has a policy of deinstitutionalization as it exists in the institutions of Warm Springs and Boulder. Towe indicates this brings about greater normalization by returning people who are mentally retarded and mentally ill back to community living. Through this deinstitutionalization, the state has realized a reduction in appropriations for Warm Springs and Boulder - over two million dollars for Boulder and a \$6.8 million dollar decrease for Warm Springs. Reductions are possible because there are fewer people at these two institutions - 50% less at Boulder and 42% less at Warm Springs. The bill under consideration would merely reassure the communities that are taking these people, that the state will not abandon the program and the funding. The Senator said something in writing is needed for reassuring these communities. And that is the reason for the Resolution.

Testifying in support of the proposed Resolution (none testified in opposition) were:

Clyde Cromwell, chairman, Mental Health Center, Billings.

Jim Sandel, chairman, Council of Mental Health Centers

Joe Harrington, director, Local Mental Health Center

Jan Brown, member, Board of Directors of National Assn. of Mental Health

Phil Powers, Department of Institutions

Bill Emge, president, AIDS

Mike Bullock, Helena Rehabilitation Services

Marilyn Kelly, Chance, Dillon, Montana

Ken Rohyans, "Progress, Inc.," and AIDS

Clyde Cromwell stressed that we are making an inroad into the population at Warm Springs and we want to continue this program. He said a group home is much better for the deinstitutionalized person.

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Cromwell said we cannot drop the financial load on the counties or cities for this residential living. The state has an obligation.

Jim Sandel would like to see the bill passed. His 25 years in the mental health field gives him experiences to draw from in asking for the continued funding so Montana does not go back to, for instance, having 950 children in Warm Springs at one time.

Joe Harrington gave a brief comment concerning the fact that, through this program of the state, they can help keep people out of the institutions, plus, once they are there, the patient receives better treatment and spends less time recovering.

Jan Brown merely urged support of SJR15.

Phil Powers said his department would like very much to see this bill passed. He said they have, in the past 1 1/2 years, transferred 250 patients out into the communities that would not normally have been there without this program.

Bill Emge, supporting SJR15, testified that because of 1974 legislation, many people have been de-institutionalized and are now functioning in normal communities and not a component of a state institution (see Exhibit "C").

Mike Bullock, also in support of SJR15, asked the Committee's support of the proposed legislation. The clients (25) the local Rehabilitation Service succeeded in placing in employment last year earned a total of \$120,125, proving that handicapped persons through Community-Based services can become productive wage-earning members of society (see Exhibit "D").

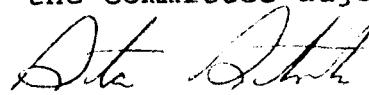
Marilyn Kelly testified her town of Dillon has a small program going and wants to see it continued.

Ken Rohyans, thanked the legislature of years past for beginning this program which now has Montana a front-runner in the good things that can be done for the developmentally disabled. Each committee member excepting Senator Olson has a day program and/or sheltered workshop in his area.

Mr. Rohyans ended the testimony for SJR15. Senator Towe made his closing statement. With very little discussion, Senator Watt moved SJR15 BE ADOPTED.

ACTION ON SJR15: On a roll call vote, the Committee voted unanimously SJR15 BE ADOPTED.

ADJOURNMENT: With no further business, the Committee adjourned to go into Session at 12:00 noon.



STAN STEPHENS, Chairman

ROLL CALL

PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE

45th LEGISLATIVE SESSION - 1977

DATE: 11.29/77

DATE 11-1-87COMMITTEE ON 1. 1. 1. 1. 1. 1.BILL NO. 1. 1. 1. 1. 1. 1.

## VISITOR'S REGISTER

NAME	REPRESENTING	Check One	
		Support	Oppose
3,11 Enige	AIDS + T.A.R. County P.D. Inc	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Bullock	Helena Rehab Industries	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	MT. Assn. of Counties	<input type="checkbox"/>	<input type="checkbox"/>
	21st Century Foundation, Inc.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Tom Murphy	PT Activities Inc	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Community Health Center	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mark Anderson	Cutbank Developmentally Disabled Corp	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carolyn Donaldson	Boulder Local #971	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Green Messick	Boulder Local #971	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gutierrez	"	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Adrian Jensen	MT. ST. Emp. Local 971, Boulder	<input type="checkbox"/>	<input checked="" type="checkbox"/>
El Cameron	MT. St. Emp. Local 971, Boulder	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	House Bill	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Barry W. Jones	Developmental Disabilities Advisory Com.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12) Elmore	House Bill	<input type="checkbox"/>	<input checked="" type="checkbox"/>
John Schlueter	DDPC - MHA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Schlueter	DD Division	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Deborah Fletcher	House Bill - Rep. Bernstein	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G. Harrington	So. West. Mt. Mental Health Center	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mark Briggs	So. West. Mt. Mental Health	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	So. West. Mt. Mental Health	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	So. West. Mt. Mental Health	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Mont. Coop. / Mont. & H.H. Center	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	MENTAL HEALTH CENTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Region II	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Mental Health Center	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Region II	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Mental Health Association	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DATE

Jan 29

COMMITTEE ON *Public Health*

BILL NO. 5.217

VISITOR'S REGISTER

E X H I B I T "A"

The Division reviewed the records for the past several years to determine the number of new applications received, approved and denied. The following schedule provides a history of the number of applications approved and denied under this portion of the Program.

<u>Period</u>	<u>Total Applications</u>	<u>Denied</u>	<u>Approved</u>	<u>Percent Approved</u>
7/1/71-6/30/72	40	28	12	30%
7/1/72-6/30/73	79	51	28	35%
7/1/73-6/30/74	58	39	19	33%
7/1/74-6/30/75	46	37	9	20%
7/1/75-6/30/76	51	27	24	47%
7/1/76-11/30/76	<u>23</u>	<u>17</u>	<u>6</u>	<u>26%</u>
Total	<u>297</u>	<u>199</u>	<u>98</u>	<u>33%</u>

Over the past five complete fiscal years an average of 18 new claimants received silicosis benefits. Even though the net increase over the past two years has remained static, the Division believes it is better to budget near the maximum expected claimants rather than estimating the number who may die during the period. The appropriation is limited to paying benefits and the excess reverts at year-end.

WIDOWS OF SILICOTIC BENEFICIARIES  
WHOSE HUSBANDS DIED BEFORE MARCH, 1974

In order to provide some benefits to widows not receiving payments under the first portion of the Program, the Legislature granted widows of silicotic beneficiaries whose husband died before March, 1974, monthly payments equal to one-half (1/2) the monthly payment made to silicotics. When the bill passed the Legislature, the Division identified 549 married claimants who died prior to March, 1974. Letters were sent to the widows of these claimants and replies from 241 were received and approved for benefits effective July 1, 1975. Many of the widows did not reply to the initial contact. As of November 30, 1976, 256 widows receive benefits under this section of the Program.

The following schedules show the ages of these widows by various age groupings.

<u>Age</u>	<u>Number</u>
51-59	7
60-64	19
65-69	42
70-74	60
75-79	52
80-84	53
85-89	21
90-over	<u>2</u>
Total	<u>256</u>

<u>Age</u>	<u>Percentage</u>
51-69	26%
70-79	44%
80-over	<u>30%</u>
Total	<u>100%</u>

## EXHIBIT "B"

Proposed  
1977-78Proposed  
1978-89

Program B

June 30, 1976

Widow's Benefit-\$87.50

No. of Widows	<u>257</u>	<u>267</u>	<u>267</u>
Administrative Cost	\$ .00	\$ .00	\$ .00
Benefits	<u>269,850.00</u>	<u>280,350.00</u>	<u>280,350.00</u>
Back Payments	<u>.00</u>	<u>10,500.00</u>	<u>10,500.00</u>
	<u>\$269,850.00</u>	<u>\$290,850.00</u>	<u>\$290,850.00</u>

Proposed Increase\*

\$87.50 to \$200	<u>\$360,450.00</u>	<u>\$360,450.00</u>
per month (77-78)		
\$25 per month (78-79)	<u>80,100.00</u>	
	<u>\$651,300.00</u>	<u>\$731,400.00</u>
Original Budget Request	<u>290,850.00</u>	<u>290,850.00</u>
Cost to Increase Benefits	<u>\$360,450.00</u>	<u>\$440,550.00</u>
Total Increase Program A	<u>\$ 85,500.00</u>	<u>\$175,200.00</u>
Total Increase Program B	<u>360,450.00</u>	<u>440,550.00</u>
Total	<u><u>\$445,950.00</u></u>	<u><u>\$615,750.00</u></u>

\*To increase benefits to equal  
benefits on original program (A).

E X H I B I T "C"

NAME: Bill Emge, Director  
Tri-County Developmentally Disabled Inc.

LOCATION: Helena, Montana

TESTIMONY

Tri-County Developmentally Disabled Inc. was formed August 1, 1975, to provide residential living facilities for the Developmentally Disabled, which includes Group Homes, Semi-Independent and Independent facilities, now serving 57 handicapped individuals. Most residents living in our facilities attend Pre-academic and Pre-vocational programs, others are competitively employed within the community.

As President of a State Association of Independent Disability Service Providers, I speak for many Providers and consumers across the state. There are approximately 39 direct service providers in Montana and 31 are members.

Because of Legislation passed in 1974, you have given these people, once confined to institutional life, Human Dignity and Life with a purpose and future. They are now able to receive community based services, providing pre-academic and pre-vocational training, as well as the freedom to attend social and recreational functions as "normal" people do.

They now are a part of a "normal" community and not a component of a State Institution.

The direction you have provided is the correct one and Senate Joint Resolution #15 will enable others to see the intent to provide continued support of present service delivery systems for the handicapped.

As President of the Association of Independent Service Providers and Director of Tri-County Developmentally Disabled Inc. I fully support Senate Joint Resolution #15.

*Bill Emge*



# HELENA REHABILITATION INDUSTRIES

1325 HELENA AVENUE, HELENA, MONTANA 59601 • (406) 442-8632 • ROBERT L. HALL, EXECUTIVE DIRECTOR

I am Mike Bullock, Assistant Director of Helena Rehabilitation Industries and 1st Vice President of the Montana Association of Rehabilitation. I am here today to ask for your favorable support of Joint Resolution No. 15.

As an employee of a Community Based Private Non-Profit Rehabilitation Facility, I have had the opportunity to see first hand the positive results, and the tremendous impact Community Based Programs have on changing handicapped people's lives for the better.

The facility which I am an employee of, deals on a day to day basis with 85 handicapped adults of which 52% were previously institutionalized, 16% of our clients are physically handicapped, 30% emotionally handicapped, 39% mentally handicapped and 15% have other handicaps such as drug or alcohol problems.

Last year we were able to place in competitive employment 25 clients of which 17 had been previously institutionalized. The combined earnings of these individuals during their first year of employment was \$120,125. I feel what this points out is the fact that through Community Based services, handicapped individuals can and do become productive wage earning members of society.

Thank you for your time and if you have any questions. I would be most happy to answer them.

(Ms. DeCunzo did not testify)

Testimony before the Senate Public Health and Welfare Committee in support of SJR 15 - January 29, 1977

Mr. Chairman, Members of the Committee:

The Developmental Disabilities Advisory Council and the Mental Health Advisory Council wish to add their support and encourage your passage of this resolution to adequately maintain funding for community-based facilities for developmentally disabled persons in Montana and for Community Mental Health Centers located in Montana.

It is the philosophy of both Councils that community facilities provide not only the most humane environment for treatment and care, but also provide the greatest opportunity for developmentally disabled and mentally ill individuals to lead normal, productive lives.

The Councils wish not only to support continued funding of present programs; but also to strongly encourage planning and development efforts for future programs and facilities so that the program of deinstitutionalization may affect the maximum number of people possible.

Thank you.

Joyce DeCunzo  
Executive Director  
Montana Developmental Disabilities Advisory Council  
Governor's Mental Health Advisory Council

