

February 17, 1979

HUMAN SERVICES COMMITTEE PROCEEDINGS:

A Human Services Committee meeting was held on February 17, 1979, in the Capitol Annex, room #20. The meeting was called to order by Chairman Holmes at 10:00 a.m., and all members were present except Representatives O'Connell and Robbins.

HOUSE BILL #810 -- SPONSOR: Rep. Sheldon, District #22, stated that this was a committee bill from the Natural Resources Committee, and he felt that a mistake had been made by referring it to this committee, since it had been given a do pass out of that committee and had not been on the floor yet. Rep. Sheldon requested that this committee give it a do pass recommendation.

HOUSE BILL #653, -- SPONSOR: Senator Kolstad, District #5, stated that this bill was a measure to ease the financial burden of hemophiliac families. This bill will give subsidy only after a certain amount has been paid by the family. PROPONENTS: Rep. Audrey Roth, District #10, requests the committee to give this bill a do pass recommendation. Ms. Albina Temple, hemophiliac mother with two sons, 25 and 14, has tried many ways of getting financial help through private organizations, hospitals, and insurance companies, but to no avail. Insurance companies won't touch hemophiliacs. Dr. Holly, explained Hemophilia as the bleeders disease, which is caused by a low level of either factor 8-A or 9-B, where bleeding occurs and flows most frequently into the joints, causing premature osteoarthritis. Hemophiliacs find it extremely hard to function normally in society. It is a hereditary disease with 60 patients per million being afflicted with it. The average cost for one hemophiliac member in a family is between \$5,000 to \$6,000 per year. Montana currently has no program to help pay this exorbitant cost. Mrs. Renae Evans, Hemophiliac carrier, stated that she and her husband would like to have children, but are hesitant because they can't afford the cost of treatment. Her two brothers were hemophiliacs and she watched them suffer because they were unable to afford the expensive and best treatment of transfusions for them. Mr. Bill Larry, Executive Vice President of Montana Hospital Association, endorsed the bill. Mr. Jerry Leondorf, Montana Medical Association, supported the bill. Mr. Tom Ryan, American Association of Retired Persons and Montana Retired Teachers Association, endorsed the bill, stating he had a very close friend who is a hemophiliac, and he wouldn't want to see others suffer unnecessarily.

HOUSE BILL #755 -- SPONSOR: Rep. Dussault, District 95, stated that her bill clarifies sections in current laws which deal with people on the regional councils who work with the developmentally disabled and dropping the requirement of research into developmental disabilities. Ms. Beth Ricketer: Executive Director for State D.D. Council, stated that the changes have been requested by this council and they recommend a do pass.

HOUSE BILL #692 -- SPONSOR: Rep. Dussault, District 95, stated that this bill was requested by the Department of Social and Rehabilitation Services, so that Medicaid eligible persons can't receive county medical assistance. "This bill may seem regressive on the surface, but is designed to make the legislature realize their responsibility to

fund these programs," stated Rep. Dussault. PROPOSERS: Mrs. Judy Carlson, Deputy Director of the Department of Social and Rehabilitation Services (SRS), stated that HB-692 is to protect the counties from having to pay for additional programs if the state mandated programs are cut. "Since county medical assistance is paid for through the county poor fund, counties have to raise the property tax mill levy which supplies this fund. Each county however, is limited to a maximum of 13.5 mills. Several counties have or are getting close to reaching that maximum. If these counties run out of money, they may apply for a grant-in-aid from the state to fulfill their welfare responsibilities. Unlike state Medicaid assistance, which is nearly 2/3 funded by federal funds, emergency grants-in-aid are completely financed by the state general fund. Without HB-692, any state money that may be saved through the elimination of Medicaid services could be lost in giving a grant-in-aid to the counties," she explained. Ms. Beverly Gibson, Montana Association of Counties, claimed that this bill protects counties from having to pay if there is an elimination of state funds. Mr. Tom Ryan stood in support of this bill saying that we need to take advantage of all federal funds available. OPPOSERS: Mr. Chad Smith, Montana Hospital Association, said that he felt it was another attempt by SRS to not pay hospitals standard charges. Last session the SRS worked against the very thing they are trying to pass now. Mr. Bill Larry, Executive Vice President of the Montana Hospital Association, stated that he did not support this bill. Mr. William Hutchison, Staff Attorney for the Montana Legal Services Association, states that there is a constitutional clause in Montana that requires that adequate health be provided to its residents who can't afford it themselves. A Medicaid eligible person receives services that may be cut will then not be able to go to the counties for help.

HOUSE BILL #771 -- SPONSOR: Rep. Dussault, District #95, stated this bill was also as per a request from the Department of SRS, to require the Legislature to establish priorities for the Department to follow when there is insufficient funding. As the law currently stands, the Department of SRS must decide which services are to be cut, and they feel if the legislature is underfunding the programs they should be the ones responsible for such decisions. PROPOSERS: Mrs. Judith Carlson, Deputy Director of SRS, explained that the section 771 will amend refers to the departments priorities concerning the medically needy and the categorically needy in the event that certain medical services are eliminated. This section of the law is currently vague and should be stated more clearly so that obligations are clear in this matter and the possibility of legal challenges concerning our responsibility in implementing Medicaid costs are avoided. OPPOSERS: Mr. Bill Hutchison, Montana Legal Services Association, stated that with passage of House Bills #692 and #771 could result in services not being provided which are constitutionally guaranteed. "The needy should not suffer!" he claimed.

The following action was taken:

Rep. Tropilia moved that House Bill #771 do pass. This motion carried unanimously.

Rep. Keyser moved that House Bill #810 do pass. This motion carried unanimously.

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Rep. Rosenthal moved that House Bill #755 do pass. This motion carried unanimously.

Rep. Keyser moved that House Bill #692 do not pass, and Rep. Harrington with a substitute motion moved that it do pass. The substitute motion carried with a 9-7 vote.


Rep. Tropilia moved that House Bill #653 do pass. This motion carried unanimously.

Rep. Tropilia moved that House Bill #810 do pass. This motion carried unanimously.

The committee meeting was adjourned at 12:15 by Chairman Holmes.



Chairman



Secretary