

MINUTES OF THE HUMAN SERVICES COMMITTEE MEETING
January 30, 1981

The Human Services committee meeting convened in Room 103 of the Capitol on January 30, 1981 at 12:30 p.m. with CHAIRMAN BUDD GOULD presiding. All members were present with the exceptions of REP. MENAHAN and REP. MANNING.

HB 439

REP. WALDRON opened the hearing on HB 439, reading a proposed amendment.

PROPONENTS:

MIKE MURRAY, Director of the Drug and Alcohol Abuse Division of the Department of Institutions, said the purpose of the bill is to limit the functions of the de-tox institutions. It would limit payment for treatment to state-approved programs. DAVID GILBERTSON explained the handling of surplus funds in relation to alcohol-generated revenues.

OPPONENTS:

There were none.

QUESTIONS FROM THE COMMITTEE:

REP. SEIFERT asked about surplus money being given back to the department. REP. METCALF asked about money "earmarked" for alcoholism treatment reverting back to the county and asked if that wasn't reappropriation. GILBERTSON said that revenue minus appropriation goes back to the counties, but the money that is left goes back to the earmarked funds to be used in alcohol treatment. The fund balance at the end of the year would just accumulate, he said. REP. BARDANOUVE asked why the money wasn't just left there until the next biennium. The problem is that, according to GILBERTSON, if you reappropriate the money, funds are set aside out of the current year's budget.

REP. SIVERTSEN said perhaps money was left over because the program was operated efficiently and asked if there might be abuse, in that the agency might feel it urgent to use up the allocation. GILBERTSON said that the \$14,000 being discussed that reverted from Murray's (the Department of Institutions) budget wasn't money from any program. It was from money distributed to the counties for enforcement.

REP. PAVLOVICH asked if there might be a larger surplus if HB 527 passed. GILBERTSON said, "not necessarily." He felt it would increase the share that goes to the counties, the amount depending upon the appropriation.

REP. BRAND asked REP. WALDRON why he suggested deleting part of Section 1(a). REP. WALDRON said it was to limit expenditure of funds to state-approved programs and hospitals for detoxification services. He said that doctors and hospitals have been placing patients in psycho wards and charging the state for "treatment," and he made this amendment to correct that.

REP. BRAND asked if the point was to save money, and if so, could it be diverted. REP. WALDRON said the intention was to save money, so that it could be utilized properly. REP. BRAND asked if there shouldn't be a fiscal note. GILBERTSON said the savings would go to the counties in most situations. The abuses occurred when the counties were being billed for alcohol treatment. MURRAY said the county hospitals can divert the money for ancillary purposes. REP. WALDRON said the county would still get the same allocation for the purpose of alcohol treatment, but use of the money would be just for that treatment. The money would have to go to the state-certified programs for alcoholism, not directly to doctors. REP. GOULD asked if more money would be needed or if there would be a surplus, if one-third of the money going to the cities were to be used totally for alcohol treatment or prevention. MURRAY said that the money going to the cities is approximately \$2,000,000. If that money went for alcohol treatment instead of to enforcement of alcohol laws, there would be more than enough money for treatment in the State of Montana. REP. GOULD asked why the alcohol tax wasn't used for treatment alone, rather than having it for a "police car" tax. REP. WALDRON agreed that some abuses have occurred. REP. WINSLOW asked how many state-certified programs there are at present. MURRAY said there are 32. REP. WINSLOW asked if the Department of Institutions or the counties control the funds. MURRAY said counties receive and administrate their own funds. REP. WINSLOW asked how funds were used that were allocated to counties that have no treatment program. MURRAY said that counties without treatment programs contract with counties that do, and pay for their citizens who receive treatment. He felt that multi-county programs are more efficient than one-county programs.

REP. WALDRON closed the hearing on the bill.

HB 437

REP. MENAHAN opened the hearing on the bill. He said the intent of the bill is to revise the responsibilities of the alcoholism service center located at the Galen State Hospital and to change its name.

PROPOSERS:

MIKE MURRAY, representing the Department of Institutions, spoke as a proponent. ROGER TIPPY, representing the Beer and Wine Wholesale Dealers, spoke in favor of the bill. He stated that he also supports HB 439.

OPPONENTS:

There were none.

QUESTIONS FROM THE COMMITTEE:

REP. METCALF asked who would be taking care of the services, other than alcoholism treatment, that have been offered by Galen. REP. MENAHAN said they would be taken care of by the Department of Institutions. REP. BRAND asked if certified programs are the only places where treatment will be provided in the state. MURRAY gave some background of alcoholism treatment programs in Montana, telling that treatment was originally at Warm Springs then moved to Galen and that there is now a 28-day treatment program there. Galen is now one of seven inpatient or intermediate care programs in the State of Montana, he said.

EXECUTIVE SESSION:

HB 419

REP. MENAHAN moved a DO PASS. Legislative counsel, RUSS JOSEPHSON, read suggested amendment regarding "agency" definition. He also suggested amendments to page 1, lines 19 and 20.

REP. CONN moved that this amendment be accepted. RUSS JOSEPHSON also suggested that on page 1, line 21 that "and" be stricken and "or" be inserted. REP. SWITZER questioned page 3, subsection (c). REP. KEYSER felt the language on page 1, lines 19 and 20 should remain unamended and that the original language was more specific. REP. CONN said some testimony on HB 419 supported both drug and alcohol treatment. After discussion on purpose, supervision, drug treatment, and proposed amendments, REP. DEVLIN moved a DO NOT PASS. The motion was seconded and PASSED UNANIMOUSLY.

HB 420

REP. PAVLOVICH moved DO NOT PASS. The motion FAILED by a vote of eight to eight with REPS. BERGENE, BRAND, CONN, KEYSER, MANNING, MENAHAN, METCALF, and NILSON dissenting. REP. BRAND moved DO PASS AS AMENDED with the following amendment:

Page 2, line 11
Following: "approval"
Strike: "shall"
Insert: "may"

The motion FAILED.

REP. BRAND moved that the following amendment be made:

Page 2
Following line 21
Reinsert stricken (7) in its entirety.

The MOTION PASSED with REPS. METCALF, CONN and SIVERTSEN opposing.
REP. BRAND moved DO PASS AS AMENDED. RUSS JOSEPHSON suggested
amending the title as follows:

Page 1, line 3
Strike: "DELETING"
Insert: "ELIMINATING"

REP. BRAND so MOVED. The motion PASSED with REP. SEIFERT and REP.
MANNING opposed to it.

REP. BRAND's motion for a DO PASS AS AMENDED carried on a nine to
seven vote with REPS. GOULD, BENNETT, DEVLIN, PAVLOVICH, SEIFERT,
SIVERTSEN and SWITZER dissenting.

HB 437

REP. MENAHAN moved DO PASS for HB 437. The motion was seconded and
PASSED UNANIMOUSLY.

HB 439

REP SEIFERT moved to amend as follows: Page 1, lines 19 and 20,
strike the underlined words, in line 21 insert a "," following
programs and in line 22, following "hospitals", insert for "detoxifi-
cation services." The motion was seconded and PASSED UNANIMOUSLY.
REP. SEIFERT then moved for a DO PASS AS AMENDED. The motion was
seconded and PASSED UNANIMOUSLY.

The meeting adjourned at 3:00 p.m.



BUDD GOULD, CHAIRMAN

VISITORS' REGISTER

HOUSE Human Services COMMITTEE

NR LL HB 439

Date 1-30-81

SOR Waldron

NAME	RESIDENCE	REPRESENTING	SUPPORT	OPPOS.
<u>Michael Murray</u>	<u>Helena</u>	<u>Dept. of Inst.</u>	✓	
<u>Roger Tippy</u>	<u>Helena</u>	<u>Mt Bee & Wine Wholesalers</u>	✓	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.
PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

HOUSE Human Services COMMITTEE

FILE NO HB 437
FOR Menahan

Date 1-30-80

NAME	RESIDENCE	REPRESENTING	SUPPORT	OPPOSE
Michael Murray	Helena	Dept. of Inst.	✓	
Marty Elison	Mala	Mont Harold Assoc.		
Roger Tipou	Helena	Mt Beer & Wine Wholesaler	✓	

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PROPOSED CHANGE

HB 439

Page 1

Lines 19-22: (a) as payment of fees for alcoholism services provided by state-approved alcoholism programs, and licensed hospitals for detoxification services;
or