

MINUTES OF THE HUMAN SERVICES COMMITTEE  
Wednesday, March 25, 1981

The Human Services Committee convened at 12:35 p.m. on Wednesday, March 25, 1981 in Room 103 with CHAIRMAN BUDD GOULD presiding. All members were present except REPRESENTATIVE BARDANOUVE.

HJR 26.

REP. MOORE opened the hearing on HJR 26 which requests an interim study regarding the possibility of combining into one department the developmental disabilities functions provided by SRS and the Department of Institutions. He read proposed amendments, which broadened the scope of the bill, he said.

PROPOSERS:

REPRESENTATIVE ANN MARY DUSSAULT said that the committee, which is supposed to make this study does not have the staff for doing such. She felt the study needed to be done, and agreed with the amendments proposed by REP. MOORE to have the study assigned to the Legislative Finance Committee.

JUDITH CARLSON, deputy director of SRS, agreed with the Joint Resolution and its amendment. She also said that deinstitutionalization is a major policy and deserves close scrutiny. She also suggested studying the fiscal implications.

CURT CHISOLM, representing the Department of Institutions, said that he basically supports the resolution. He felt it was good to include more than developmental disabilities DD in the study.

OPPOSERS: There were none.

QUESTIONS FROM THE COMMITTEE:

REP. KEYSER asked why the resolution was expanded to include so many institutions. REP. MOORE said that many problems had been solved and felt the legislature could solve even more.

REP. BRAND asked why people were being "warehoused," some right here in Helena. REP. MOORE said that the Director of Institutions is looking more closely at the facilities handling people who have been deinstitutionalized.

REP. BRAND asked how many studies had been made on this subject.

REP. MOORE answered that there were none that he knew.

REP. BRAND asked if progress had been made without any studies. REP. MOORE said that progress had been made, and that many people were better off in community settings than in institutions. REP. MENHAN commented that there were some who were not. REP. MOORE said that some patients could not survive in community settings, but that this program was done because of advocacy complaints of the federal government. He said the study was an effort to correct some of the faults of the program.

REP. MENAHAN asked if community group homes would be checked. JOHN LA FAVER of SRS said that some of the criticism was valid and agreed that the DD homes should be inspected and evaluated.

REP. SWITZER asked if the burden of paper work could be reduced. He felt that a twice a week progress report would be adequate. LA FAVER said that the group homes had had a misunderstanding about the amount of paper work and that the problem is being corrected.

REP. BRAND asked if the best way to handle the study might be a cooperative effort between the Legislative Finance Committee and the Human Service Committee. REP. DUSSAULT said there is provision for a limited number of studies because of "fiscal and problematical" reasons. She felt the study should be made by others than those in political factions.

REP. MOORE said there had been good progress in this field. Sheltered workshops have put money back into society, he said, as well as providing good training and therapy. If the HJR goes into an interim study, it will have to compete with all the other studies being proposed, he said. Because there is only \$75,000 for these studies, and assigning it to the permanent Legislative Finance Committee will assure that it will be done. He closed the hearing.

HJR 20.

REP. MENAHAN opened the hearing on the bill, which requests an interim study of the current overall functions and staffing of the Department of Institutions to determine the effectiveness of the delivery of institutional services by the state.

REP. MENAHAN said the department has grown and yet, he felt, the services had declined. He said that employees have complaints, but that they are afraid to testify for fear they will lose their jobs. One of the complaints he's received is an overload of paper work.

PROPOSERS:

CURT CHISOLM, deputy director of the Department of Institutions, said he rose as a proponent because the department feels that, relative to the other studies, this will probably take less of a priority than other studies. He said the main focus is on the central office which is under constant scrutiny.

OPPOSERS: There were none.

QUESTIONS FROM THE COMMITTEE:

REP. BRAND asked how many employees work in the central office.

CHISOLM said there were 190.5 FTEs.

REP. BRAND asked why the number of employees had increased. CHISOLM said the DEPARTMENT OF INSTITUTIONS had increased their responsibilities. The Board of Pardons requires about 45 FTEs. Drug and Alcohol treatment meant another 35 or 40 FTEs, he said.

REP. BRAND commented that, at one time, the Board of Examiners, the Attorney General and the Superintendents of State and Education handled everything in this area. CHISOLM said the responsibilities were considerably larger now.

REP. BRAND said he remembered when 3 people handled all the SRS now handles. CHISOLM said the committee should be aware that 104 of the employees are field-based, working throughout the state, and that only 86 work here in Helena.

REP. MENAHAN closed the hearing on HJR 20.

EXECUTIVE SESSION:

REP. MENAHAN told the committee that he felt HJR 26 was not necessary, that the Legislative Finance Committee should handle the study in committee.

REP. MENAHAN moved for a DO NOT PASS on HJR 26.

REP. CONN disagreed and moved a substitute motion that HJR 26 DO PASS.

REP. BRAND said that REP. MOORE is trying to place HJR 26 in a favored position. He felt the Finance Committee is the strongest and controls more than it should. He opposed REP. CONN's motion.

REP. MENAHAN said it is difficult to determine the cost of keeping an individual in a community setting. After further discussion by committee members, REP. MENAHAN moved that the committee accept the amendments. The motion PASSED WITH REP. BRAND voting NO.

REP. MENAHAN MOVED AN AMENDMENT- that the bill be taken out of the Legislative Finance Committee and be placed in an appropriate interim committee. The motion PASSED UNANIMOUSLY.

Discussion by the committee continued. REP. BRAND said the amendment will give the larger body the opportunity of putting the bill in the proper committee. REP. SWITZER said the larger the body, the more difficult it is to pass a bill. He felt the Legislative Finance has a certain amount of expertise and would address this bill in an expeditious manner.

REP. BRAND said he was disturbed by the bill, because he strongly opposed the closing of Twin Bridges Childrens' Home. He felt it was a good institution, and opposes some deinstitutionalization. He feels that the costs of caring for the people involved have risen. At the present, he said, many people are being housed in an inadequate manner -- "warehoused."

REP. CONN said that, unless the bill passes and the study is made, no improvement will be made.

REP. WINSLOW said that federal funding has been cut back on deinstitutionalization. If the study isn't made, there won't be enough research to handle bills in the next legislative session, he said.

A vote was taken on the DO PASS AS AMENDED motion. The motion PASSED BY A VOTE OF 9 YES and 5 NO votes with 3 ABSENT. Those who voted NO were REPRESENTATIVES BENNETT, PAVLOVICH, NILSON, BRAND AND MENAHAN.

HJR 20.

REP. MENAHAN MOVED THAT HJR 20 DO PASS. The motion was seconded and PASSED BY A VOTE OF 11 YES votes and 3 NO votes, with 3 absent. Those voting NO were REPRESENTATIVES KEYSER, BENNETT, and CONN.

SB 411.

REP. KEYSER MOVED that SB411 BE CONCURRED IN. The motion was seconded and PASSED UNANIMOUSLY.

REP. KEYSER was appointed to CARRY THE BILL.

SB 426.

REP. KEYSER informed the committee that a study made by a subcommittee resulted in a recommendation to leave the bill in its present form.

REP. KEYSER MOVED THAT SB 426 BE CONCURRED IN.

REP. PAVLOVICH MOVED AN AMENDMENT to strike "measure, fit, and place" in the bill.

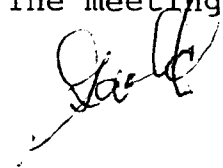
MINUTES OF THE HUMAN SERVICES COMMITTEE  
Wednesday, March 25, 1981

Page 6

After discussion by the committee, the amendment PASSED by a vote of 7 YES and 5 NOS cast by REPRESENTATIVES KEYSER, BRAND, DEVLIN, BENNETT, and SWITZER.

REP. CONN MOVED THAT SB426 BE CONCURRED IN AS AMENDED. The motion was seconded and PASSED by a vote of 9 YES, and 4 NO., with REPRESENTATIVES BERGENE, KEYSER, BENNETT and BRAND voting NO.

The meeting was adjourned at 2 p.m.



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CHAIRMAN BUDD GOULD

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