

MINUTES OF THE MEETING OF THE JOINT APPROPRIATIONS
SUBCOMMITTEE FOR INSTITUTIONS ALCOHOL AND DRUG ABUSE DIVISION
February 11, 1981

JACK K. MOORE, CHAIRMAN called the meeting to order at 8:05 a.m. in Room 108, Capitol Building. All Committee members were present.

Testimony was given by CARROLL SOUTH, Director of the Department of Institutions; MIKE MURRAY, Director of Alcohol and Drug Abuse Division, JIM HAUBEIN, Director of Management Services; BOB ANDERSON, Bureau Chief; RAY HOFFMAN, Fiscal Analyst.

The CHAIRMAN asked to have the contracts explained that he had a question on February 10, 1981.

MR. HAUBEIN stated he would like to explain the \$450 contract for ROWAN CONRAD. MR. CONRAD is with the Counseling Education Developmental Services and this amount is included in Exhibit 93, Page 5, and is all under the same contract.

MR. SOUTH asked to have MR MURRAY explain to the Committee another service the ADAD does provide to the state employees.

MR. MURRAY stated there is currently a State Employee Assistance Program which is advertised on the inside cover in the state telephone book. The purpose of this program is to refer a state employee for alcohol or drug treatment. In the majority of cases, the employees have returned to their jobs and maintained sobriety. He noted he does not feel this service is being implemented as well as it should. He stated the program works with documenting the employee that the options are immediate termination, or go to an inpatient program. He stated they do refer the client for counseling. There is no state mandate that this service be provided, and for this reason he would like to have the Committee consider this program. THE CHAIRMAN asked how much time and people are needed for this program. MR. MURRAY stated the cost to date is just a single telephone, and whoever is in the office takes the call. It takes about a month to document the drinking problem so that the intervention can occur. He emphasized that as the person overseeing the program, he does not feel enough has been done. The amount of funding necessary would be one additional full time employee, \$430 for supplies and materials, telephone, rent, utilities, and \$180 reference material. He noted this position would be continued with the Community and Program Development Bureau. He stated he is proposing this only for Helena, and he noted they were providing assistance to the employer and the employee. In FY '80 they have provided assistance to 34 employees, 17 supervisors, 3 family members and 6 union employees.

MR. HOFFMAN stated the majority of the departments within the state government provide professional personnel on their staff, and he feels this would be part of their function to counsel employees.

REPRESENTATIVE CONROY asked if the Mental Health Center handles this. MR. MURRAY stated "not that he was aware of. He did receive Mental Health calls where they made the referral because they did not feel they could handle the problem.

THE CHAIRMAN asked who would approve the program at Park View Nursing Home in Great Falls.

MR. MURRAY stated the ADAD would be the one in state government to approve or disapprove this program.

THE CHAIRMAN asked that this program be turned down.

MR. SOUTH stated he was not sure on what grounds this could be turned down, and asked MR. MURRAY if it could be turned down if it turns out to be duplicative.

MR. MURRAY stated "yes" it could be turned down if it appears duplicative.

SENATOR JOHNSON asked what is the criteria to approve treatment programs.

MR. ANDERSON stated they have a comprehensive on-site review mechanism to approve programs. They look at administration, the organization, personal management, and actual treatment services. It is outlined in a handbook quite specifically so the program is aware of the criteria. If a program wants to be approved they must first submit an application. The department checks this to see if there is any duplication in the area, then the request is either accepted or denied. He noted they do one comprehensive evaluation on a program per year, and issue the approval certificate if requirements are met. He noted he does not certify the drug and alcohol counselors, but on their evaluation it is checked to see if the counselors are certified.

MR. MURRAY explained that his department has been certifying programs, but have not brought on line a counselor certification system that is based on competency rather than general knowledge. The program approval has been going on for 6 years. He noted the individual programs set their criteria for counselors. The qualifications for certification is based on a 200 point matrix involving work experience, education and training, written and oral examination, and evaluation of two work samples on a tape. Panelists will give the final certification. He stated the effect on their salary would be just the inflationary increase. He feels the certification will insure competency of the counselor.

SENATOR JOHNSON asked if the ADAD could use the federal level booklets on alcoholism.

MR. MURRAY stated there are booklets available some of which are quality, but do not use those that are inadequate. The ones that meet their needs they do use.

SENATOR JOHNSON asked what happened to the money when Glasgow had \$200,000 and turned back \$150,000. MR. MURRAY stated they never had \$200,000. The verbal intent of the subcommittee was to use a maximum of \$200,000 of discretionary money for Glasgow. The first year, Glasgow documented they needed \$150,000 the remaining \$50,000 was to be used for community programs. He noted MR. HOPSTAD expressed truths as he understood them, that the intent of the Committee was \$200,000, however, it was not written on the line that Glasgow had \$200,000. This was not correct because it was not written anywhere in state law. He noted that MR. HOPSTAD did not understand the process that if it is not appropriated, the agency does not spend.

SENATOR ETCHART stated that the Subcommittee came up with \$365,000 for the Glasgow program. It went to the full Senate and it was amended down to \$200,000.

THE CHAIRMAN stated there was quite a problem on this, because by law a state agency cannot directly appropriate to a non-state agency. So Glasgow was never appropriated the money.

The Committee went into Executive Session at 9:10 a.m.

THE CHAIRMAN stated the first item he would like to take up is the retro-active pay in the amount of \$2,170 for the ADAD.

REPRESENTATIVE CONROY moved that the Committee not accept the \$2,170 for retro-active pay for ADAD.

The MOTION PASSED.

MR. AUSTIN gave further testimony regarding the institution taking over the ADAD counselors. He feels it is only part of the system and these counselors will become social workers. He believes it was the intent of the citizens who voted in the legislatures who voted for HB 627 and HB 824 that the money be used at the grass root level or back home. He feels the money is to be used for the alcoholic and the alcoholic's family, not the Crime Lab. He feels we need Galen, and he hopes to see it run more cost efficient in the future.

MR. CHISHOLM stated there was some misinformation regarding the Crime Lab. He noted there doesn't look like there is any alternatives, but perhaps the efficiency of the lab could be looked at.

The Department gets information regarding the number of samples dealt with by the forensic laboratory in Missoula. Analyzing those reports, the lab processed 2,920 samples over a period of one year to determine blood alcohol content, or drugs within a body to warrant arrest. Of the 2,920 samples processed, the Department of Institutions constitute 34% of those samples done at no charge. The Lab has informed the Department it costs \$14.90 to process a sample, which would amount to about \$14,000. He stated he wasn't sure what else they do for the Department to constitute their revenue. He explained there is a California company that will process these samples for \$3.00. The likelihood of the Department taking over their own processing is not good due to the expense, and additional cost in man hours for the personnel to appear as certified witnesses which cannot be done by certified mail.

MR. HOFFMAN stated by state law any service provided to the county, city or law enforcement agency cannot be charged for. Once those samples are processed, the person must be able to appear as a witness regarding their process. He stated the Legislative Fiscal Analyst cannot see any way they cannot appropriate funds to the Lab, yet at this time the efficiency of the Lab is being questioned.

MR. SOUTH feels what the Lab does was not in dispute, it was a matter of how to fund the Lab that is the problem.

MR. HOFFMAN stated the Executive Budget had earmarked alcohol funds far in excess of what the LFA recommended. He handed out Exhibit 96. He stated at the request of the Chairman he went back and looked at the ADAD program. He noted there are two premissis for the information presented. The first premissis is to insure the state law is being met, the second premissis was to insure the budget for those services would meet that criteria. He explained Page 2 as the recommended Drug Program with the LFA figures included. He noted it is recommended by LFA that the split for the Drug Program be 68% federal funds and 32% state funds. He explained Page 3 and Page 4. He noted Page 4 is the list of the current positions within the ADAD. He broke out the positions to meet state law, and program evaluation. The listed four positions are 100% federal funded and are not associated with earmarked funds. The remaining 3 positions are assistants to meet the criteria or provide training to counselors. He feels the top 8 positions would meet the state criteria and should be funded out of earmarked alcohol funds. If there is no funding for the federal positions, then those positions will not be funded by the state, the bottom three though providing a function for the Department could be deleted if the Committee wished; because the ADAD is being allowed to provide only the actual services mandated by law.

MR. MURRAY explained the function of ADAD. He stated the Department

was formed in 1975 and was to combine the Alcohol Services Division and the Drug Coordinators Office and combined this into the Southwestern Montana Drug Program. The function was to manage statewide alcohol and drug needs through the state. These needs have been defined three times by the Legislature. He gave a brief overview of his background.

THE CHAIRMAN asked when they do an evaluation program, does this assist in determining the discretionary funds.

MR. ANDERSON explained they use all the data available to determine how much money goes to which program.

MR. SOUTH stated there is a clear line of distinction in evaluating a program and certifying a counselor.

THE CHAIRMAN asked the Committee to approve the FTE level for ADAD so the other amounts can be matched with this level.

MR. HOFFMAN explained how the other funds were derived at. He noted on Exhibit 93, Page 6, Contracted Services, The Department of Health and Environmental Sciences for \$5,445 is federal funds. He explained within the alcohol program there is an inflationary difference in the LFA recommendation. In Supplies and Materials, Page 7, he noted there were some items that were either all federal funds or were a 66-33 split. By applying those percentages the earmarked alcohol portion would be \$3,576 for FY '82 and \$3,887 for FY '83. He noted on Page 8 in Communications there was a 66-33 split on all the items. He noted the difference in Communications was \$147 in FY '82 and \$17 in FY '83. He noted the travel, Page 9, by deleting the technical assistance personnel, the amount of \$4,226 was deleted, plus all out of state travel. In rent, he split the percentage 60-40 because MR. MURRAY and his two Bureau Chiefs occupy offices by themselves. Utilities and Repair and Maintenance were also calculated at a 60-40 split. He noted on Page 14, Other Expenditures, the Merit System Dues were identified as federal, the \$451 and \$194 were identified as earmarked revenue and he deleted the \$424 for Registration. He referred to Exhibit 96, Page 3 regarding the total difference between the Executive and the LFA was \$70,309 for FY '82 and \$74,242 for FY '83. He stated if pay increases are given the federal participation would have to pick up the increase, and the general fund would have to pick up its share. He then explained Exhibit 96, Page 1 regarding alcohol distribution. He stated in the Drug Program, Page 2, the variances are inflationary increases only.

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SENATOR JOHNSON moved to cut 5 FTE. This would include 1 Certification Officer, 1 Project evaluation, and the last three positions on Page 4.

THE CHAIRMAN felt he has gone over the recommended three positions to be deleted and in view of the state requirements and the fluctuation of programs that two of the five FTE recommended to be cut are necessary. He then asked for a roll call vote.

The motion failed with 2 in favor and 4 opposed. Those opposed were REPRESENTATIVE MOORE, SENATOR ETCHART, REPRESENTATIVE ERNST and SENATOR THOMAS.

SENATOR ETCHART moved to delete the ADAD budget by \$52,298 for the biennium.

SENATOR JOHNSON moved to make a substitute motions and include position #179 for a total of \$21,987 and the total of \$74,285 to be further reduced from the ADAD budget.

The motion failed with three in favor and 3 opposed. Those opposed were REPRESENTATIVE MOORE, REPRESENTATIVE ERNST and SENATOR THOMAS.

THE CHARIMAN stated the Committee would now vote on the original motion of SENATOR ETCHART.

The motion passed with 5 in favor and 1 opposed. REPRESENTATIVE ERNST opposed.

THE CHARIMAN asked to act on the Alcohol and Drug Abuse Division Program, Page 3, Exhibit 96.

REPRESENTATIVE CONROY moved to accept all the LFA figures for all Programs with the total of \$104,746 for FY '82 and \$112,109 for FY '83.

The motion passed.

MR. HOFFMAN explained the Grants from state sources of \$426,960 for FY '82 and \$465,245 for FY '83. He noted the Federal sources of \$145,000 for FY '82 and \$25,000 for FY '83 are anticipated federal funds.

SENATOR ETCHART moved to accept the State and federal funding figures for FY '82 and FY 83.

SENATOR JOHNSON asked to amend the motion so that \$200,000 from the \$426,960 be used for payment for those programs that are medical models.

MR. HOFFMAN stated by state law, the Committee appropriates the discretionary funding, and ADAD allocates it based on the needs of the program. It was proven last biennium where the state allocated money to a non-state entity, that this could not be done. The intent may be there, but he was not sure if it was to be complied to by the Department. He asked if the intent of the Committee was to use the money for a specific purpose, will the Department be obligated by that intent.

MR. CHISHOLM stated he thought they would be obligated to follow a course of action to comply as close as possible the intent of the Committee. He noted it was a legal problem last year, because the legislature could not designate money specifically line itemed to a non-state agency.

The question was called on the original motion of SENATOR ETCHART. The motion passed with 4 in favor and 2 opposed. Those opposed were SENATOR JOHNSON and REPRESENTATIVE CONROY.

THE CHAIRMAN stated of the prior action taken for FY '82 there is federal funds total of \$258,840, earmarked revenue account for \$692,421. For FY '83 the federal funding is \$140,411 and earmarked revenue account for \$736,498. This is the funding sources for the monies covered this morning.

SENATOR JOHNSON moved to accept the funding sources.

The motion passed.

SENATOR THOMAS moved to accept the LFA figures on the Drug Program, Exhibit 96, Page 2 for FY '82 of \$608,124, and FY '83 for \$638,233.

The motion passed.

SENATOR THOMAS moved to accept the 68-32 split for the ADAD program.

The motion passed.

There being no further discussion or comments, the meeting adjourned at 10:50 a.m.



JACK K. MOORE, Chairman