

MINUTES OF THE MEETING OF THE HUMAN SERVICES COMMITTEE
March 14, 1983

The meeting of the Human Services Committee held on Monday, March 14, 12:30 p.m. in Room 224A of the Capitol Building was called to order by Chairman Marjorie Hart. All members were present except Rep. Seifert, who was absent.

SENATE BILL 395

SEN. SMITH, sponsor. This bill would authorize the Departments of Social and Rehabilitation Services and Institutions to certify persons serving developmentally disabled persons in a professional capacity. The bill requires the departments to adopt rules concerning the certification. He said this bill doesn't change any existing law. It allows the SRS to adopt rules to qualify a professional who will then be the one who approves the one who is disabled who is placed in that institution. SENATE BILL 395 also has a companion bill, SENATE BILL 214. SENATE BILL 395 is the one that points out some of the things they want to do with SRS. SENATE BILL 214 is the Institutions bill and the reason they need the second bill is that if someone asks to have a person come out of the institution and go into a group home, it is then handled by SRS. They want to be able to adopt rules between the two functions of state government--SRS and Institutions.

PROPOSERS:

JUDITH CARLSON, Deputy Director, Department of Social and Rehabilitation Services, stated this bill will allow the Department of SRS to officially adopt rules to carry out a section of the law that is already in the law. She urged support of the bill (EXHIBIT 1).

CURT CHISHOLM, Deputy Director, Department of Institutions, said they also support this legislation. The companion bill deals with the Department of Institution's role in certifying mental health professionals. MRS. CARLSON is concerned with certification of developmentally disabled professionals. It is this person who is certified rather than an M.D., who is automatically certified in both cases. They must be certified to make the Developmentally Disabled Act or the Mental Health Act work. They have to testify in court. He urged consideration and passage of this legislation.

OPPOSERS: None

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SEN. SMITH closed.

QUESTIONS:

REP. JONES: Should there not be a statement of intent with this bill?

SEN. SMITH: I don't believe so. They will have to go through the same rulemaking authority that any state agency does.

CHAIRMAN HART closed the hearing on SENATE BILL 395.

EXECUTIVE ACTION

SENATE BILL 395

REP. JONES: Moved SENATE BILL 395 BE CONCURRED IN.

The motion PASSED UNANIMOUSLY.

REGULAR SESSION

SENATE BILL 404

SEN. STEPHENS, sponsor, said this piece of legislation is really a senior citizens bill and it is designed to allay some of the fears with regard to the dispensation of services for seniors. Some of them are dispensed through senior citizen centers, welfare agencies, and some come from other sources. Many of the services they receive, they choose not to receive without payment. Senior citizens have a stigma about the word "welfare". They want to be able to receive these aging services but they don't want to feel that they are on welfare. That is what SENATE BILL 404 is all about. An area agency may contract with various entities but they may not consider an area welfare office as an area agency office.

PROPONENTS:

EVELYN HAVSKJOLD, representing Hill County Aging Programs, said the elderly have expressed they do not want programs legislated through the Welfare Department. Every four years, agencies are evaluated. Every four years, senior citizens face this same fear over and over that the aging programs will be administered by local welfare departments. The passage of this bill will eliminate this fear. She urged passage of this bill (EXHIBIT 2).

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Jane Anderson, President, Montana Area Agency on Aging Directors' Association, said the number one worry of the elderly is that they will have to go to welfare departments to ask for services. We, therefore, ask for the passage of this bill.

OPPONENTS: None

SEN. STEPHENS closed.

QUESTIONS:

REP. FARRIS: When I was an investigator for the lower courts in Tucson, my very first case was a man of 67 years who had stolen some food. I pointed out to him that he was eligible for welfare. He said he would rather be a thief than a recipient of welfare. My question is--should the Legislature encourage this snobbish attitude?

SEN. STEPHENS: We don't come to this committee meeting to demean people who go on welfare. There are legitimate reasons why we maintain them; but what we do say the nature of the senior citizens programs that have evolved the last few years in this country should not be considered welfare. Such programs as "Meals on Wheels" we do not consider to be welfare programs.

REP. FARRIS: In some communities continuing a separate office to administer such programs would require greater expenditures than if all could be consolidated into one office. Would people be willing for property taxes to be raised. Would they want to spend more state money to maintain a separate office?

SEN. STEPHENS: There are programs that can affect seniors that can come through local government offices and do. Energy Income Assistance is one. In some smaller counties, they do that and there is nothing wrong with that. In Hill County, for example, we don't see any need to traffic those through welfare.

EVELYN HAVSKJOLD said their program does not have an income eligibility. It deals with social and economic needs. They have many seniors citizens who are \$50 over all guidelines to receive any help from welfare and they like to target in on those elderly people. Their seniors that are in a group situation, there is no one looking at the other one knowing that the other one does or does not have because of something that has happened in their lifetime. They are all treated equally. They pay on a sliding scale of what they can afford.

REP. SOLBERG: How big an impact is this going to have throughout the state. How many programs that are currently being serviced through the county will have to be changed?
SEN. STEPHENS. There would be none. He deferred to JANE ANDERSON who said at the present time there are no aging programs funded under the Older Americans Act administered by welfare departments.

REP. FABREGA: Is this perhaps an anticipation type legislation?

SEN. STEPHENS: No.

CHAIRMAN HART closed the hearing on SENATE BILL 404.

REP. FABREGA would carry the bill on the House floor.

SENATE BILL 410

SEN. HALLIGAN, sponsor, said this bill revises the laws relating to the licensing of cesspool, septic tank and privy cleaning businesses. The bill also includes statutory provisions on which rules must be made and adopted by the Department of Health and Environmental Sciences. The bill also changes the license fee and the penalty limit for violations of the statutes regarding disposal of septage. He said all this bill does is strengthen the law.

PROPONENTS:

DUANE ROBERTSON, State Department of Health, stated that the current law has proven to be totally ineffectual especially in the area of disposal of septic tank and privy vault wastes. Much of Montana is served by on-site septic tanks and sub-surface disposal systems. Each year, thousands of septic tanks and privy vaults are pumped and contents disposed in one of several ways. Because of operational difficulties, few communities permit septic tank pumpers to discharge septic wastes into lagoons or mechanical treatment facilities. In addition, there are only a limited number of licensed sanitary landfills which have the proper facilities for accepting septic tank pumpings. Traditionally, the vast majority of septic tank pumpings have been land applied. However, more and more public opposition to land disposal has occurred and fewer sites are readily available to septic tank pumpers. Each year, state and local health officials are receiving increasing numbers of complaints regarding the improper disposal of such wastes (EXHIBIT 3).

FLOYD HOFF, Helena Septic Service, supported this legislation. He said they need a specified spot to dump in every county. With this bill, it would allow the sanitary engineer in every county to pick a spot to dump solid waste. He urged passage of this bill.

REP. STELLA HANSEN wanted to go on record in support of this legislation.

WILL SELZER, Director of Environmental Health, Lewis and Clark County, stated he was in support of this bill and wanted to suggest an amendment. He said there should be a deadline of December 31, 1983 added to the section that says rules should be adopted to administer this law.

ED ZULEGER, representing the Missoula County Health Department, also supported this legislation.

JEANIE KNIGHT, representing Jefferson Broadwater Counties, indicated support of this bill.

OPPONENTS: None

SEN. HALLIGAN closed saying he had no problem with the amendment that was proposed.

QUESTIONS:

REP. KEYSER: Would you point out where in the bill it says the county sanitary department or the state department has to try to find a place where these people can dump septage?

DUANE ROBERTSON: It does not do this. It is the responsibility of the private haulers to find the site. The county health department and the state department will go out there after they have found the site and approve it making sure it will not cause any health or environmental problems.

REP. KEYSER: If this person can find a site, what does he do? How are the people in the community with septic tanks handling the problem? Do they have to go two or three counties out to get people to come in and empty their septic tanks?

DUANE ROBERTSON: The only place this has happened is Madison County. We would feel with the health department being involved, it will be easier to get some sites in the future. If they feel it is being regulated by technical people, it will allow sites to be obtained and assure folks who are going to make land available, there will be no problems caused by the dumping of sites. There is nothing in the bill that people would be forced to give a site.

REP. KEYSER: Is there any way you could force the cities to allow them to dump some of that refuse in the lagoons.

DUANE ROBERTSON: We can't force it. We can encourage it.

REP. FABREGA: What kind of problems would be created on page 5, line 9, if we added "to provide disposal sites."

REP. KEYSER: I had in mind that there ought to be a mandate that a site be provided.

WILL SELZER: There is no way we can go out and say this will be the site.

REP. FABREGA: Isn't the county required to provide solid waste disposal sites.

WILL SELZER: Not to my knowledge. They have to go through a petition process. Reality requires it but there is no law that says it.

DUANE ROBERTSON: Many of our solid waste areas would not be suitable to take these types of wastes. On the septic tank item, because of the gallons of liquid waste that we are talking about, we need land disposal less surface disposal over a large acreage in order to stay away from ground water contamination.

REP. HANSEN: Can't disposal plants be used by cities that have them?

DUANE ROBERTSON: Yes. They have a dumping station set up and water available to wash the dump. The best way is to utilize it on agricultural ground; the second best is to run it through a sewage treatment plant and the third is to put it at a disposal site,

REP. KEYSER: Why are you doubling the fee to \$50?

DUANE ROBERTSON: The fee doubling isn't nearly enough to cover the cost. The \$40 going back to the sanitation man will allow him to pay for some of the expenses to go out and look at the site. The \$10 coming into the state does not cover going through the licensing process. Local pumpers do not have any concern about kicking the fee up to \$50.

REP. KEYSER: If the people had to go out of the county to dump, which county is going to receive the money?

DUANE ROBERTSON: The county where the septic tank pumper is licensed will receive the money.

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REP. CONNALLY: You said the best way to treat this is to dump it on agricultural land. Is it treated in some way?

DUANE ROBERTSON: No but there is no health hazard.

REP. SOLBERG: What do they do in other states?

DUANE ROBERTSON: Other states have more sewage treatment plants.

FLOYD HOFF: All we are asking for is the right to get our own spot to eliminate the cost of going through the treatment plant. Septage does the ground good.

REP. SOLBERG: You don't have a problem finding a spot around this area?

FLOYD HOFF: No. If we go outside of the county and they do not have a spot, we haul the septage back here. If there is going to have to be a charge for people that have septic tanks, then it ought to come on their tax form right from the county. It needs to be collected by the county.

REP. SWIFT: Do you feel this fee is compatible with the job they have to do with regard to location, etc.?

FLOYD HOFF: I wouldn't mind if the fee was \$250 or \$500 if we had a spot designated to dump.

CHAIRMAN HART closed the hearing on SENATE BILL 410.

REP. BROWN will carry the bill on the House floor.

EXECUTIVE ACTION

SENATE BILL 410

REP. DRISCOLL: Moved that the amendment be accepted.

DAVE BOHYER: Recommended that the amendment be put in the Statement of Intent because rulemaking authority is given to whole chapter.

REP. FABREGA: Moved to amend the Statement of Intent so that it clearly shows implementation on Section 3 should take place by December 31, 1983.

The motion was voted and PASSED UNANIMOUSLY.

REP. DOZIER: Moved that SENATE BILL 410 BE CONCURRED IN.

REP. KEYSER: What the bill is trying to do is good but I wish if they are going to change this total bill that deals with dumping of the septic tanks, I wish they would have put a little more teeth in it so that it would enable State Lands to come under some priorities as far as the Department of Health and let them be able to do something with the counties where the people want to dump and don't have a site to do it.

REP. FABREGA: I understood that the county wishes to levy a fee on each septic tank and that is the way it would go about coming up with the money to establish a county sign. Wasn't that an option?

REP. SWIFT: I think that is available now.

REP. HANSEN: The people in Missoula who are not on the sewer system still pay the assessment fee and this covers the price of having septage treated.

The motion was voted and PASSED with REP. KEYSER voting no.

SENATE BILL 404

SEN. STEPHENS, sponsor. This bill would authorize SRS to designate an area office for aging services.

REP. FABREGA: Moved that SENATE BILL 404 BE CONCURRED in.

The motion was voted and PASSED with REP. FARRIS voting no.

SENATE BILL 293

SEN. HAGER, sponsor. This bill would generally revise and clarify laws relating to certificates of need for health care facilities.

REP. FABREGA: Moved that SENATE BILL 293 BE CONCURRED IN.

REP. FABREGA: He opposed the amendments.

The motion was voted and PASSED UNANIMOUSLY.

SENATE BILL 107

SEN. BLAYLOCK, sponsor. This bill would provide for basic levels of benefits under disability insurance policies and contracts for the care and treatment of mental illness, alcoholism, and drug addiction.

REP. MENAHAN: I talked to a number of individuals from difference insurance trusts regarding the provision of \$2,000 and \$4,000 and if we go over that, the trusts won't have enough money.

REP. FABREGA: Proposed some amendments (EXHIBIT 4). I am proposing \$4,000 for a 24-month period and that would be the same as \$2,000 per year. \$4,000 over a 24-month period would be more realistic because 28 days is about the minimum standard and that would run over \$2,000. At the same time, the \$4,000 limitation is to say that they don't go to a \$250/day program.

REP. FABREGA: Moved that the amendments he proposed be accepted.

REP. MENAHAN: I know of one instance where an individual went for a 14-day program and the cost was \$6,000. In these negotiated trusts between management and labor, they have a \$2,000 and a \$4,000 lifetime. If you double it, that will break those and then they will get nothing. What is better--to have labor have \$2,000 and \$4,000 or go over it.

REP. DRISCOLL: Ours is \$2,000 and \$4,000. You can go as many times as you want. You just can't spend over a certain amount in your lifetime. Drug addiction and alcohol has a limit on it. Ours will not pay for forced admission. They will pay for detoxification. If a person is self-admitted, then they will pay up to the maximum. I feel if you force people to take alcohol treatments, it doesn't work.

REP. FARRIS: I wanted to speak in favor of the amendments. What this bill addresses is people who want to go to treatment. It is a way to eliminate one of the major excuses of "I can't afford it." Even if this amount is limited, it still is a basic down payment on the treatment. When the treatment center has such a large sum--if there is still more money necessary (they have gotten half or more of the payment from the insurance companies), they will negotiate with the family. Most insurance companies

pay 80% any way. It is a way to get people to treatment who can't afford it. The amendments are a start.

REP. DRISCOLL: Gave an example: Expenses exceed income by \$500,000, but our trust does not recognize assigned benefits unless that person signs a line on the form. What happened to one of our members being an alcoholic and knowing there was \$2,000 there, he really got drunk and then it was forced. I have a lot of trouble with a lot of my friends who are admitted into those places. They end up with Alcoholics Anonymous.

REP. CONNELLY: The Burlington Northern Railroad has a program and the company funds it and it is paid entirely by the company.

REP. FABREGA: Would the provisions under this part apply to all group policies of accident and health insurance and groups subscribing to contracts offered in Montana?

REP. DRISCOLL: I don't know if we are covered or not.

REP. FABREGA: You are self-insured to a point and then what you are really buying is exposure insurance.

REP. DRISCOLL: Our benefits are scheduled.

REP. FABREGA: So you are not really offering it for sale to the public. It is a self-funded organization and then when you exceed \$500,000 in losses, then you have a risk insurance to your fund rather than a specific health insurance.

REP. SWIFT: I want to go on record as supporting the amendments. This takes care of the main concern that was voiced at the hearing.

REP. SOLBERG: Are the amendments going to eliminate a lot of the opponents' testimony. Anybody that had a free-standing facility was testifying for it and anybody that was going to do any paying said it was going to increase the cost something terrible. Who is right?

REP. FABREGA: I have checked with the representatives of Blue Cross and Blue Shield and they feel that the proposed levels are a manageable situation.

REP. SWIFT: One of the people that testified is here and I would like to ask his opinion.

JACK HASTY, SUNRISE RANCH: We are most concerned that there be amendments within 24-month limit and lifetime maximum. The ones we proposed I did after conversing with insurance agents that are providing treatment

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for alcoholics. Our limits right now are \$1,200 and \$2,400. My concern is that we get a limit in here. We feel the ones we proposed provide for first class treatment.

CHAIRMAN HART: Can you give me a figure for one year's premium for one person. What is it now and what would a program like this increase to.

JACK HASTY, SUNRISE RANCH: It is now \$135 per month per family and it may increase \$5 per month.

REP. DOZIER: Those are dollar limits and not percentage limits. This isn't going to be first class treatment very long.

REP. FARRIS: In terms of limits, a 35-day program two years ago cost \$4,100. So we are not being out of line or overly generous.

REP. MENAHAN: What does it cost at your place?

JACK HASTY, SUNRISE RANCH: \$1,880 for a 28-day period.

REP. FABREGA: What is the cost at Billings Hospital for a 28-day program.

REP. WINSLOW: I don't know.

REP. FABREGA: It costs \$71 per day at Hilltop.

The motion to accept REP. FABREGA'S amendments was voted and the motion PASSED with REP. BRAND voting no.

REP. WINSLOW: I would like to propose another amendment.

Page 3, lines 3 and 4.

Strike: "INCLUDING CHARGES BY A LICENSED SOCIAL
WORKER AFFILIATED WITH THE TREATMENT CENTER"

REP. MENAHAN: I don't like to see this bill tied up with psychiatrists and psychologists. It has proven in other systems it doesn't work.

REP. DRISCOLL: If REP. WINSLOW'S bill doesn't pass, then these two lines don't mean anything any way.

REP. WINSLOW: It will complicate the passage of the bill if it stays in here.

REP. DRISCOLL: I believe that was a Senate amendment to the bill that was introduced.

REP. WINSLOW: It would add more reimbursement to the mental health centers.

REP. FABREGA: A mental health center can bill third party payments but not for the psychologists or psychiatrists in the name of the center. The center would have to be authorized for license in order to receive third party payment rather than individual certification.

REP. BRAND: Did the Senate strike "social worker" out of 5 and 6 where it says "reasonable charges for service rendered." What was their reasoning when they struck "social worker for the charges."

REP. WINSLOW: I don't know.

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REP. FABREGA: Unless the social worker was attached to a center, they could not do it independently. It was to eliminate the freelancers.

The motion was voted to accept REP. WINSLOW'S amendment and it PASSED UNANIMOUSLY.

REP. CONNELLY: Moved SENATE BILL 107 BE CONCURRED IN AS AMENDED.

The motion PASSED UNANIMOUSLY.

The meeting adjourned at 2:00 p.m.



CHAIRMAN MARJORIE HART



Secretary

VISITOR'S REGISTER

HOUSE HUMAN SERVICES COMMITTEE

BILL SENATE BILL 395

DATE 3-14-83

SPONSOR SENATOR SMITH

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

WITNESS STATEMENT

Name Evelyn Hauksjold Committee On _____
 Address #2 W 2nd St Havre Mont Date _____
 Representing Hill County Aging Programs Support _____
 Bill No. 404 Oppose _____
 Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. Senior citizens in Montana should not have to fear their older American Act & other aging programs be administered by
2. well fare.
3. Senior citizens would not receive needed services if they have to go to well fare for them.
4. Every 4 years area agencies are evaluated and each time the Senior citizens must once again go thru the same drama.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

VISITOR'S REGISTER

HOUSE HUMAN SERVICES COMMITTEE

BILL SENATE BILL 404

DATE 3-14-83

SPONSOR SENATOR STEPHENS

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

WITNESS STATEMENT

Name Duane L. Robertson
Address Cogswell Bldg
Representing State Dept of Health
Bill No. SB 410

Committee On Human Services
Date 3/14/83
Support X
Oppose _____
Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

- 1.
- 2.
- 3.
- 4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

Ex 3
SB

SENATE BILL 410
INTRODUCTORY REMARKS FOR PRESENTATION
TO THE HOUSE HUMAN SERVICES COMMITTEE

Under the current cesspool septic tank and privy cleaners law, 105 septic tank pumpers are licensed to conduct business in Montana. The current law has proven to be totally ineffectual especially in the area of disposal of septic tank and privy vault wastes.

Much of Montana is served by on-site septic tanks and subsurface disposal systems. Each year, thousands of septic tanks and privy vaults are pumped and contents disposed in one of several ways. Because of operational difficulties, few communities permit septic tank pumpers to discharge septic wastes into lagoons or mechanical treatment facilities. In addition, there are only a limited number of licensed sanitary landfills which have the proper facilities for accepting septic tank pumpings. Traditionally, the vast majority of septic tank pumpings have been land applied. However, more and more public opposition to land disposal has occurred and fewer sites are readily available to septic tank pumpers. Each year, state and local health officials are receiving increasing numbers of complaints regarding the improper disposal of such wastes.

The proposed revisions will make the current law meaningful and provide a service not only to the public but to the regulated community as well. The major revisions and justifications are as follow:

1) An increase in the license fee to \$50.00 which would be sent directly to the state. The state then would return \$40.00 to the county to be used for administration of the act. This revision would make the application process simpler for the pumper. The fee increase would provide the local government with the needed financial resources to assist in the securing of approved disposal sites and administration of other provisions of the act;

2) The current law does not insure the proper disposal by the septic tank pumper and most complaints now received are almost exclusively related to improper disposal of septic tank and privy vault wastes. The proposed revision would require that the pumper show proof of the availability of suitable disposal site or sites at the time the application is submitted.

3) The proposed revision would require that local health officials approve of pumper equipment and disposal site(s). Only after the local government has certified that the applicant has met necessary requirements would the state accept the application; and

4) A provision has been included which would allow a private landowner such as a farmer or rancher to dispose of his own septage on his own land as long as it did not cause a public health nuisance or hazard.

It should be noted that many septic tank pumpers handle numerous wastes other than covered by the current act. It is felt that such wastes can be adequately regulated by other state laws such as the "Montana Solid Waste Management Act" and the "Montana Hazardous Waste Management Act".

VISITOR'S REGISTER

HOUSE HUMAN SERVICES COMMITTEE

BILL SENATE BILL 410

DATE 3-14-83

SPONSOR SENATOR HALLIGAN

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Proposed Amendments to SE 107

1. page 4, line 23

Following: "subsections"
Insert: "(1) (b),"

2. page 4, line 24

Following: line 23
Strike: "and"
Insert: ","
Following: "(2) (b)"
Insert: ", and (2) (d)"

3. page 5, line 5

Following: "that"
Insert: ":",
(a)"

4. page 5, line 8

Following: line 7
Insert: "(b) the aggregate maximum benefit for alcoholism and drug addiction of inpatient expenses under basic inpatient policies and contracts plus inpatient and outpatient expenses under major medical policies and contracts may be limited to no less than:
(i) \$4,000 in any 24 month period; and
(ii) \$8,000 in lifetime benefits."

5. page 6, line 3

Strike: ", alcoholism, and drug addiction"

6. page 6, line 6

Strike: ". "
Insert: ";

7. page 6, line 7

Following: Line 6
Insert: "(d) the aggregate maximum benefit for alocoholism and drug addiction of inpatient expenses under basic inpatient policies and contracts plus inpatient and outpatient expenses under major medical policies and contracts may be limited to no less than:
(i) \$4,000 in any 24 month period; and
(ii) \$8,000 in lifetime benefits."

WRITTEN TESTIMONY IN SUPPORT OF SB 410

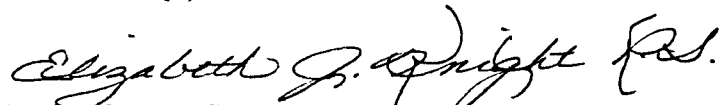
By: Elizabeth J. Knight R.S.

Ms. Chairman and committee members, my name is Elizabeth Knight. I am currently employed as the Jefferson-Broadwater County Sanitarian. I appreciate the opportunity to submit written testimony in support of SB 410.

SB 410 would provide for better management of septic tank and privy vault wastes on a local as well as state level. At the local level I have experienced numerous problems with the improper disposal of the aforementioned waste as none of Jefferson or Broadwater counties solid waste disposal sites are currently licensed to handle septic tank or privy vault wastes. With no local disposal available it has meant either improper disposal or an increased cost to the consumer as a result of long hauling distances and disposal cost incurred at out of county disposal sites. The implemetation of SB 410 will benefit the consumer in as much as it may well reduce the costs of properly maintaining individual waste water treatment systems. It will also allow for the adoption of rules which will make a currently ineffective rule one which will serve a purpose.

I urge this committee to recommend a do pass of SB 410.

Sincerely,

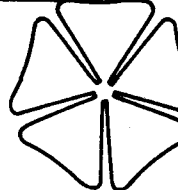
A handwritten signature in cursive script that reads "Elizabeth J. Knight R.S.".

Elizabeth J. Knight R.S.
Jefferson-Broadwater County Sanitarian



MISSOULA CITY-COUNTY HEALTH DEPARTMENT

301 West Alder • Missoula, Montana 59802 • Ph. (406) 721-5700



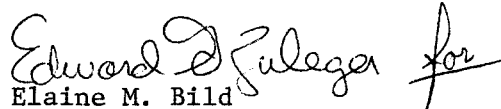
March 11, 1983

MEMO TO COMMITTEE MEMBERS:

The Missoula County Health Department is in favor of S.B. 410 for the following reasons:

1. At the present time, the disposal sites for septage are not inspected and/or approved by any health agency, and in some areas the disposal of this material could present a health problem. This bill would address this problem by requiring that each site be approved by a local health agency to insure that it meets all State and local requirements. This in essence would eliminate much of the indiscriminate dumping of septage.
2. The Bill would also insure that the equipment to be used be approved and meet State and local requirements. This should not affect the majority of the pumpers that are presently licensed in the State of Montana, but it will force them to keep their equipment in good repair.

Sincerely,


Elaine M. Bild

EMB:mzc

STANDING COMMITTEE REPORT

..... March 14, 19 83

MR. ~~SPEAKER~~

We, your committee on HUMAN SERVICES

having had under consideration SENATE Bill No. 395

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING SPECIFIC AUTHORITY
FOR THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES AND THE
DEPARTMENT OF INSTITUTIONS TO CERTIFY PROFESSIONAL PERSONS SERVING
DEVELOPMENTALLY DISABLED PERSONS; REQUIRING THE DEPARTMENTS TO
ADOPT RULES GOVERNING THAT CERTIFICATION; AMENDING SECTION
53-20-102, MCA."

Respectfully report as follows: That SENATE Bill No. 395

BE CONCURRED IN
DOUBT

STANDING COMMITTEE REPORT

March 23, 19 83

MR. **SPEAKER**

We, your committee on **HUMAN SERVICES**

having had under consideration **SENATE** Bill No. **395**

third reading copy (blue)
color

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING SPECIFIC AUTHORITY FOR THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES AND THE DEPARTMENT OF INSTITUTIONS TO CERTIFY PROFESSIONAL PERSONS SERVING DEVELOPMENTALLY DISABLED PERSONS; REQUIRING THE DEPARTMENTS TO ADOPT RULES GOVERNING THAT CERTIFICATION; AMENDING SECTION 53-20-102, MCA."

Respectfully report as follows: That **SENATE** Bill No. **395**

Statement of Intent attached

BE CONCURRED IN
SENATE

STATEMENT OF INTENT

A statement of intent is required for SB 395 because it authorizes the Department of Social and Rehabilitation Services and the Department of Institutions to adopt rules for the certification of professional persons. It is the intent of SB 395 to have professional persons certified by the Department of Social and Rehabilitation Services and the Department of Institutions as qualified to provide those services.

The Legislature contemplates that certification of an individual as a professional person will be determined upon qualifications specified by rule. Those qualifications should be predicated upon education, experience, and skills. The specific qualifications will be those that are appropriate for an individual to carry out the professional person's responsibilities with respect to the developmentally disabled.

The rules should provide for the appropriate higher education degrees and the nature and degree of experience and skills that professional persons must possess. The rules should allow for varying combinations of education, experience, and skills that satisfy the professional person certification requirements. Among those degrees of higher education which are to be considered appropriate are psychology, social work, special education, or similar human service degrees.

The qualification set forth in the rules should be developed by reference to such nationally recognized standards as those of the Accreditation Council for Services for Mentally Retarded and other Developmentally Disabled persons (ACMRDD), Title XIX of the Social Security Act as amended, and federal regulations implementing that Act, and similar standards.

STANDING COMMITTEE REPORT

March 14, 19 92

MR. SPEAKES

We, your committee on HUMAN SERVICES

having had under consideration SENATE Bill No. 404

third reading copy (blue)
color

A BILL FOR AN ACT ENTITLED: "AN ACT FOR THE DESIGNATION OF AREA
AGENCIES FOR SENIOR CITIZEN SERVICES."

Respectfully report as follows: That SENATE Bill No. 404

BE CONCURRED IN
SENATE

STANDING COMMITTEE REPORT

..... 19

MR. **SPEAKER**

We, your committee on **HUMAN SERVICES**

having had under consideration **SENATE** Bill No. **410**

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color

A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE AND CLARIFY THE LAWS RELATING TO LICENSURE OF CESSPOOL, SEPTIC TANK, AND PRIVY CLEANING BUSINESSES; ALLOWING THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES TO ESTABLISH REQUIREMENTS BY RULE FOR DISPOSAL SITES AND INCREASING THE LICENSE FEE; PROVIDING FOR A HEARING AFTER THE DENIAL, SUSPENSION, OR REVOCATION OF A LICENSE; PROVIDING FOR EXCEPTIONS TO THE LICENSING REQUIREMENT; PROVIDING FOR CIVIL AND CRIMINAL PENALTIES; AMENDING SECTIONS 37-41-101, 37-41-103, 37-41-201, 37-41-202, 37-41-211, AND 37-41-212, MCA; AND REPEALING SECTIONS 37-41-102, 37-41-203, AND 37-41-204, MCA."

Respectfully report as follows: That **SENATE** Bill No. **410**

BE AMENDED AS FOLLOWS:

Statement of Intent, Page 1, line 13.

Following: "septage."

Insert: "It is further the intent of the Legislature that rules implementing the provisions of this act be adopted by December 31, 1983."

**AND AS AMENDED
BE CONCURRED IN**

DO PASS