

MINUTES OF THE MEETING OF THE HUMAN SERVICES COMMITTEE  
April 15, 1983

The meeting of the Human Services Committee held April 15, 1983, in Room 224A of the Capitol Building, at 12:30 p.m. was called to order by Chairman Marjorie Hart. All members were present except Reps. Darko, Dozier, Jones, Seifert, Solberg, and Swift, who were absent, and Reps. Brown and Menahan, who were excused.

HOUSE JOINT RESOLUTION 42

REP. CONNELLY, sponsor. This resolution requests an interim study to fully analyze the needs of Montana's aging and the options for administrative changes to make Montana's aging programs operate as effectively as possible.

PROPONENTS:

WADE WILKISON, Director of LISCA (Low Income Senior Citizens Advocates), submitted written testimony and stated that HJR 42 is by itself short, direct and straightforward, in many ways self-explanatory. It establishes an interim study mechanism so that questions raised over the last two years about the relative efficiency and responsiveness of Montana's state level administrative structure for aging programs can be answered. The study resolution also suggests some broad parameters for the interim study committee to consider, including some organizational models working well in other states, and also recommends coordination of the interim study with the Coordinator of Aging and the Governor's Advisory Council on Aging. Finally, rather than have this be yet another in a long list of interim studies done and then left unused, the study resolution asks that an implementation plan also be prepared, if appropriate, so that whatever recommendations are made by the interim study committee can be realistically taken up for consideration during the next regular session of the Legislature (EXHIBIT 1).

He also submitted written testimony by TOM RYAN, representing the Montana Senior Citizens Association, supporting this legislation (EXHIBIT 2).

OPPONENTS:

GENE HUNTINGTON, representing the Governor's Office, said that executive reorganization tried to organize state departments by function or by common types of staffing. We should have as few separate agencies as possible. The

other principle we have--all agencies should be directly accountable to the Governor. Whenever possible, we should avoid using committees or commissions for administrative purposes. In terms of looking at a separate Department of Aging, if you look at the first part of the bill--it says the Aging Services Bureau was eliminated. Those changes in the organization were made for the purpose of trying to create more efficiency in the Department of SRS. That we are required to do in terms of designing our organization under the current law and from directives of executive reorganization. After this reorganization was made, many senior citizens came to the Governor; they felt they had lost an identifiable place in state government that would work on senior citizens' issues. We created a position in the Governor's office -- Coordinator of Aging -- with an advisory committee that should provide information on aging issues. Our concern--we are looking at what makes a good efficient way of managing services rather than giving recognition to a particular group. The last part of the bill states that an implementation plan will be submitted to the next Legislature. That implies there will be some changes made. We are fairly well satisfied with what is going on now.

REP. CONNELLY closed saying this is merely asking for a study. We aren't saying that we are going to implement the department or bureau. We are having some problems with the programs through the centers and she asked the consideration of the Committee to do pass this resolution.

QUESTIONS:

REP. DRISCOLL: Did the Legislature eliminate the Aging Services Bureau?

NORMA VESTRE: No, the Department of SRS did under the reorganization.

REP. KEYSER: You have said in this resolution that you are going to complete an implementation plan to adopt and set up a new bureau. We passed a bill setting up an agency that would deal with the aged under the Governor's office.

REP. FARRIS: It says we are going to submit a plan.

REP. KEYSER: If you are going to submit it, you plan on implementation.

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REP. FABREGA: The resolution anticipates a new plan. I would be more comfortable if we were to strike "a complete implementation plan, along with". He moved that this amendment be accepted. The way I see it--it is no longer a study; it already comes to a conclusion.

WADE WILKISON: The reason why the implementation language is there--there have been many interim studies done and this is simply a mechanism to activate the recommendations.

REP. FABREGA: If the findings were such that changes were needed, legislation could be submitted. I think Mr. Wilkison's concern is addressed and resolved by the amendment.

WADE WILKISON: I agree.

REP. FABREGA: If you find no need for change, there will be no implementation plan.

REP. WINSLOW: How has the relationship been between the senior groups and Mr. Briggs?

WADE WILKISON: Charles Briggs and HB 873 represents a place where senior citizen input can occur. The resolution is aiming at dealing with questions that have arisen over the last two years and have not been resolved over what is happening on state level.

REP. WINSLOW: You are talking about a follow-up on the study--not to see if we are going to have a Coordinator of Aging. This study would be looking at the Councils on Aging--across the state?

WADE WILKISON: No. It would deal with administrative structure at the state level.

REP. WINSLOW: This would be the people within SRS that are administering aging programs.

REP. BRAND: On page 2, lines 1-3, you are creating a Department of Aging. If that is what you want--what has been the problem within the department that you want another Department of Aging. When is the last time you had a study on aging?

WADE WILKISON: There was an interim study done. SJR 34 focused on presumed "problems" on the local and regional level within Montana, particularly the role of the Area Agencies on Aging. It seems only appropriate and fair

that since local and regional levels of Montana's administrative structure for aging programs have been studied, that the same degree of scrutiny should be focused on state levels of administration.

REP. BRAND: How come you want a study so quick. Can't you wait awhile to see how we do?

WADE WILKISON: That earlier study was not done on a program in Helena. It was only a regional study. This study would not be redundant.

REP. BRAND: How come this resolution was so late?

REP. CONNELLY: A lot of the bills they had hoped do pass had been killed and the programs they were worried about were not being put into affect.

REP. FABREGA: In asking to study the executive portion of aging, are you saying that the programs are mismanaged or there is a lack of identity of management of the program and that might be causing the lack of expansion of the program?

WADE WILKISON: The whole problem came about with the demise of the Aging Services Bureau two years ago.

REP. FABREGA: The problem is when seniors call SRS, they don't know who to ask for. Was that the real function of having a title within the bureau?

WADE WILKISON: It isn't that they call up and don't know who to ask for. They are moved from desk to desk and no one wants to take the responsibility of answering their questions.

REP. FARRIS: There is more of a focus now on children since the reorganization. The feeling was that the focus was not there for the aged. Do you think a sufficient amount of attention is being paid the seniors?

NORMA VESTRE: We had three bureaus that were program bureaus. They evaluated programs without a lot of coordination with each other. We reorganized along program lines in order to better utilize the resources in the field. We have, what I consider, both at the state level and local level better utilization of resources. A lot of the turmoil is attributed to the structure but inappropriately so. The federal regulations were changed which allowed us to distribute the monies on a more equitable basis. We are doing a number of things now to strengthen our management aging programs. There has been a significant improvement.

REP. WINSLOW: You feel you have good input into the government. With the Coordinator being in the Governor's office and the Governor being the executive officer over all agencies, don't you feel that office can initiate responses? Don't the seniors see that office as a way to implement changes that are needed because now they have the input into the office.

WADE WILKISON: I certainly hope that will be the case. I would like to think of that as public input and we are looking at the administrative structure. In the last several months, seniors have called and said they have been round-robined. Seniors feel that with the loss of the aging bureau, there is a redress of responsiveness that needs to be made within SRS. They feel aging programs are being constrained by use of other programs. They feel federal dollars would be more efficiently utilized were it to be within an agency, bureau, or commission which was truly focused on aging.

REP. WINSLOW: I think there is an incorrect assumption that the Governor's Coordinator on Aging is just simply to listen. I would hope he is going to do something there, too. I feel that the seniors feel like they have lost some clout because they didn't have a bureau of their very own. They do now have a Coordinator that is their very own who, I think, can implement a lot of these things. I see that as a better mode of doing it than through an interim study that might not get studied any way.

REP. CONNELLY: I have so many telephone calls and letters from seniors who feel there is a problem. Why would the department be worried about a study. Why don't they welcome new ideas?

REP. FABREGA: When was the Coordinator attached to the Governor's office?

GENE HUNTINGTON: Just before the session.

REP. FABREGA: We haven't waited to see what is going to happen. I think this is premature. Coming out of the Governor's Office, you have more influence than a study that might not get funded. We ought to give the Coordinator a chance to show what he can do.

CHAIRMAN HART closed the hearing on HOUSE JOINT RESOLUTION 42.

EXECUTIVE ACTION  
HOUSE JOINT RESOLUTION 42

REP. FABREGA: Proposed the following amendment.

1. Page 2, lines 5 and 6.  
Strike: "a complete implementation plan, along with"
2. Page 2, line 6.  
Following: "recommendation"  
Strike: ", "

The motion was voted on and PASSED UNANIMOUSLY.

REP. KEYSER: Moved that HOUSE JOINT RESOLUTION 42 be TABLED.

REP. CONNELLY: Made a substitute motion that HOUSE JOINT RESOLUTION 42 DO PASS. One of the things that the seniors are concerned about--you wait two years--they don't have much time. Two years in the life of a senior citizen might be a long time.

REP. FABREGA: Don't you think we are trying to throw too many solutions to the same problem? With the Coordinator of Aging, problems can be solved at that level.

REP. FARRIS: If we implement the study now and do it over the next two years, we are not going to change anything now. If we wait, it's going to be four years before we change anything.

REP. FABREGA: The Coordinator is going to spend more time going to the hearings and learning how to coordinate.

REP. WINSLOW: I think we ought to give the coordinator a change to get going.

CHAIRMAN HART: This would go in with all the rest of the studies and be voted on by the Legislature.

A roll call vote was taken with nine members voting yes (REPS. FARRIS, BRAND, BROWN-proxy, CONNELLY, DARKO, DRISCOLL, HANSEN, MENAHAN-proxy and CHAIRMAN HART) and three members voting no (FABREGA, KEYSER, WINSLOW). The motion PASSED.

The meeting adjourned.

  
\_\_\_\_\_  
CHAIRMAN MARJORIE HART

  
\_\_\_\_\_  
GERI BENNETT

Ex1  
HJR 42

WADE F. WILKISON, LISCA

### HJR 42 TESTIMONY

Madame Chairman, members of the committee, my name is Wade Wilkison and I am the Director of LISCA, Low Income Senior Citizens Advocates.

HJR 42 is by itself short, direct and straightforward, in many ways self-explanatory. It establishes a interim study mechanism so that questions raised over the last two years about the relative efficiency and responsiveness of Montana's state level administrative structure for aging programs can be answered. The study resolution also suggests some broad parameters for the interim study committee to consider, including some organizational models working well in other states, and also recommends coordination of the interim study with the Coordinator of Aging and the Governor's Advisory Council on Aging. Finally, rather than have this be yet another in a long list of interim studies done and then left unused, the study resolution asks that an implementation plan also be prepared, if appropriate, so that whatever recommendations are made by the interim study committee can be realistically taken up for consideration during the next regular session of the Legislature.

#### THE STATE CONSENSUS THAT A CHANGE MUST BE MADE

HJR 42 grows out of administrative changes made within the Department of Social and Rehabilitation Services (SRS) about two years ago. As a part of the functional reorganization of SRS, the then Aging Services Bureau was eliminated, and the focus for aging programs in the state was consequently lost. The senior citizens of the state of Montana are reasonable and patient, and waited for some time to see if the administrative changes within SRS would still allow them to have effective public access to programs operated by SRS that effect their lives.

Within nine months there was a clear consensus among senior citizens in the state that SRS, confronting so many other pressing human needs in other programs, had lost the ability to provide a clear focus for program issues relating specifically to senior citizens. At every public meeting involving senior citizens I have attended since about that time, the question has invariably arisen "what are we going to do to get our Aging Office back again?"

Every senior citizen group in the state that I have been in contact with has endorsed the concept of re-establishing a true administrative focus for coordinating senior citizen programs in Montana; certainly LISCA, NARF, MSCA, AARP, Legacy Legislature and NRTA have had this matter as a priority concern over the last year.

#### SJR 34: IS THE "PROBLEM" ON THE LOCAL OR STATE LEVEL?

Seniors also have followed the study process and recommendations produced by SJR 34, developed as a result of a

study resolution from the 1981 legislative session. SJR 34 focused on presumed "problems" on the local and regional level within Montana, particularly the role of the Area Agencies on Aging. A number of pieces of legislation have been passed by this legislative session because of that study, including HB 663, which confirms the significance of the Area Agencies. If there is a weakness in Montana's administrative structure for aging programs, at least some seniors feel that it must be on the state level at SRS. It seems only appropriate and fair that since local and regional levels of Montana's administrative structure for aging programs have been studied, that the same degree of scrutiny should be focused on state levels of administration.

#### THE DEGREE OF SENIOR CITIZEN CONCERN

I have already noted some of the ways that senior citizen concern about state level administrative efficiency have developed, and this senior citizen concern has been manifested in several ways politically as well. First, Legacy Legislature, held last fall in Helena, voted this issue as one of the top three priorities among the state's senior citizens. Second, affirmation of the need for a new aging office became a part of the state's political parties' campaign platforms. Third, many legislative candidates made a strong and affirmative senior citizens stand, including the re-establishment of an aging office, a key part of their own campaign statements. And finally the Governor, responding to the cards, letters, personal visits and telephone calls of Montana's senior citizens, promised to appoint a coordinator of aging operating out of his office in September of 1982. He first made this promise at the meeting of Legacy Legislature and subsequently at the annual Governor's Conference on Aging.

With both public and political consensus that a new state aging focus must be created, the only remaining question has been what form this new aging focus should take.

#### HB 873 AND AN INTERIM STUDY ON AGING NEEDS

HB 873 was introduced this session to institutionalize a Coordinator of Aging in the Governor's office. All indications are that this legislation will be approved and that the Coordinator's position will provide a good focus and forum by which public discussion can take place on aging issues.

In addition to assuring Montana's senior citizens that there is a single office and person who can respond to their inquiries, we also propose this interim study designed to fully analyze Montana's aging needs as reflected in administrative changes to make Montana's aging programs operate as effectively as possible. In addition to his/her other responsibilities, the person occupying the Coordinator of Aging Office position would be a primary participant in this study, along with the Advisory Council also established by this bill. The interim study would investigate at least the following range of options, options that leaders within the senior citizen community of the state have been discussing as alternatives to the current aging



administrative structure in Montana.

OPTION ONE: A DEPARTMENT OF AGING

Senior citizens have expressed a desire for a Department on Aging fully separate and apart from SRS, so that attention to senior citizen programs is not eclipsed by other program concerns at SRS. The federal Older Americans Act(OAA) generally assumes a separate set of program officers and staff, and OAA funding is regularly used to fund totally separate aging offices, so if this option were ultimately selected then this new Department would be funded with federal rather than state dollars. Good models exist for the creation of a Montana Department on Aging. Federal documents outlining the philosophy and need for certain specific responsibilities associated with a state aging office are readily available. According to these and other documents, states with highly successful and well-organized aging programs tend to have administrative structures patterned after either Departments on Aging or Commissions on Aging.

We chose not to recommend such a major administrative change to this session, however, because you are already dealing with the continuance of another state department, the Department of Institutions, and we felt you should have the right to judge that matter on its own merits without us complicating things by requesting a department on aging in the middle of your Department of Institutions debate.

OPTION TWO: A COMMISSION OR BUREAU ON AGING

Senior citizens would also accept a mid-range option, the creation of a Commission on Aging or Board or Bureau on Aging. Once again, good and successful models exist for this range of alternatives to our current aging programs administrative structure. Administrative variations include having the Commission and/or Commissioner on Aging appointed by the Governor, with varying degrees of administrative autonomy from the Governor. As in the case of the Department on Aging, the Commission or Bureau would have actual administrative responsibility for day-to-day decisions on senior citizen programs, including state utilization of Older Americans Act funding, so these options would again guarantee to the state's senior citizens that their programs would be removed from SRS control. At the same time these structures would also meet OAA requirements for funding, so federal dollars rather than state dollars could be utilized to operate this range of administrative structures.

As senior organizations discussed which of these various options to present to this legislature, most felt that a Commission or Bureau was an immediate need, but that we should be responsive to the heavy burden you as legislators face and not ask you to make decisions about significant changes such as establishing new state commissions without full and proper time to make a reasoned and informed decision.

## IS THIS STUDY JUST GOING TO CREATE ANOTHER BUREAUCRACY?

This resolution does not, and should not, prejudge the results of the interim study committee's findings. Certain factors are clear, however. First, SRS is the state's largest department, a bureaucracy already, and some suggest that the larger the bureaucracy the less able it is to do its intended job. In this sense, then, one could argue that a new administrative structure for aging programs would make them more efficient, more effective, by taking them out of an already unwieldy structure. Second, senior citizens already constitute 17% of our state's population, and the demographic trends clearly show that only a few years past 2000 a full quarter of the state's population will be senior citizens. Senior citizens are only going to increase in numbers, and there will be an equivalent increase in the number participating in federal and state aging programs. One could argue, therefore, that conducting this study now will enable us to plan our future, and prepare accordingly for this increased senior citizen participation. Finally, since these aging programs are already in place and funded by federal dollars and are meeting significant human needs, we must make sure that whatever administrative structure we have is as efficient and effective as possible.

For these reasons, then, senior citizens support HJR 42 as an important step in making Montana's aging programs as effective and open to public input as in other states. Montana's 120,000 senior citizens deserve no less.

# LISCA

Low Income Senior Citizens Advocates  
P.O. Box 897 — Power Block Bldg., Suite 612

Helena, MT. 59624

(406) 443-1630  
April 15, 1983

Dear Legislator:

Thank you very much for the times that you have been able to vote supportively on legislation affecting senior citizens, particularly those on low and fixed incomes. While senior citizen legislation has faced the same tough scrutiny as legislation on other issues, and senior citizens have also borne their share of the budgetary cuts that all programs and constituencies have faced this session, we believe that this group of legislators has been particularly fair to Montana's elders.

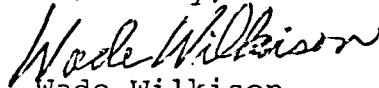
We have a final request from you in the closing days of this session: when you sit down to prioritize the various interim study resolutions, please give special attention to HJR 42. The last legislative session funded a study of the Area Agencies on Aging, a study that in its legislative impact (for example, HB 663 in this session) appears to be stabilizing the delivery of local and regional senior citizen programs.

The intent of HJR 42 is to provide the same informed and well-researched background and analysis, but this time of the relative effectiveness and efficiency of the administration of senior citizen programs on the state administrative level. Perhaps Montana's current administrative structure for senior citizen programs on the state level is the best possible, but as you know seniors feel that they have had their problems with the current structure since the demise of the Aging Services Bureau two years ago. Other states utilize other structures, some apparently more cumbersome than ours, but seniors in some other states have only positive reports about their state level structures. All we want is an opportunity to find out what our options are so that our state government best serves our people.

The following groups and individuals are just some of those who have indicated that they hope you will give us this opportunity, by prioritizing HJR 42 near the top of your interim study list: Dr. Robert Waltmire and LISCA; Tom Ryan of MSCA; the Yellowstone Billings chapter of AARP; Jane Anderson and Roger Ala, program managers of the Area Agencies on Aging; Ladd Shorey of the Billings chapter of NARFE; and Legacy Legislature.

Thank you again for your consideration and support.

Sincerely,

  
Wade Wilkison  
Executive Director

WITNESS STATEMENT

Name Tom RYAN Committee On HUMAN RIGHTS  
Address Box 4243- Helena Date 4/15/83  
Representing MONT. Sr. Citizens Assn Support X  
Bill No. HJR #42 Oppose \_\_\_\_\_  
Amend \_\_\_\_\_

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. MONT. Senior Citizens Agrees  
with the intent of
2. the Resolution
3. we support and offer  
our resources should the  
Resolution pass
- 4.

Thank you  
*Tom Ryan*

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 HSR 42

DATE 4-15-83

SPONSOR Connolly

[illegible]

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

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

# STANDING COMMITTEE REPORT

.....April 15,..... 1983.....

MR. ....**SPEAKER**.....

We, your committee on .....**HUMAN SERVICES**.....

having had under consideration .....**HOUSE JOINT RESOLUTION**..... Bill No. ....**42**.....

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**A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY TO FULLY  
ANALYZE THE NEEDS OF MONTANA'S AGING AND THE OPTIONS FOR ADMINI-  
STRATIVE CHANGES TO MAKE MONTANA'S AGING PROGRAMS OPERATE AS  
EFFECTIVELY AS POSSIBLE.**

Respectfully report as follows: That .....**HOUSE JOINT RESOLUTION**..... Bill No. ....**42**.....

## **BE AMENDED AS FOLLOWS:**

1. Page 2, lines 5 and 6.

Strike: "a complete implementation plan, along with"

2. Page 2, line 6.

Following: "recommendation"

Strike: ",."

**AND AS AMENDED**

**DO PASS**