MINUTES OF THE MEETING PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE MONTANA STATE SENATE

MARCH 6, 1985

The meeting of the Public Health, Welfare and Safety Committee was called to order by Chairman Judy Jacobson on Wednesday, March 6, 1985 in Room 410 of the State Capitol at 1:00 p.m.

ROLL CALL: All members were present with the exception of Senator Norman, who was excused. Karen Renne, staff researcher, was also present.

There were visitors in attendance. See attachments.

ACTION ON HOUSE BILL 180: Representative Bob Ream of Missoula is the sponsor of HB 180 which is an act to clarify that the Department of Health and Environmental Sciences has the authority to seek injunctive relief compelling affirmative compliance with the Montana Hazardous Waste Act or an order, permit, or rule issued under it.

A motion was made by Senator Hager that HB 180 BE CONCURRED IN. Motion carried with all senators voting "yes" with the exception of Senator Newman who voted "no".

Senator Hager will carry this bill on the floor of the Senate.

ACTION ON HOUSE BILL 182: Representative Toni Bergene of Great Falls is the sponsor of HB 182 which is an act to delete the requirements that the Department of Health and Environmental Sciences must approve a laboratory that performs a blood group test as part of a prenatal serological test and that the Department laboratory must perform blood group test and providing an immediate effective date.

A motion was made by Senator Lynch that HB 182 BE CONCURRED IN. Motion carried.

Senator Towe will carry this bill on the floor.

ACTION ON HOUSE BILL 189: Representative Bob Ream of Missoula is the sponsor of HB 189 which is an act to allow the Department of Health and Environmental Sciences to adopt rules requiring hazardous waste transporters to register within Montana and and hazardous waste generators and facilities to file reports on an annual basis; and providing an immediate effective date.

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A motion was made by Senator Hager that HB 189 BE CONCURRED IN. Motion carried. Senator Hager will carry this bill on the floor of the Senate.

ACTION ON HOUSE BILL 202: Representative Steve Waldron of Missoula is the sponsor of House Bill 202 which is an act revising the method of funding community mental health services; eliminating the authority to transfer funds from the Montana State Hospital to community mental health services and for reversion of such funds and providing an effective date.

A motion was made by Senator Lynch that HB 202 BE CONCURRED IN. Motion carried.

Senator Himsl will carry this bill on the floor of the Senate.

CONSIDERATION OF HOUSE BILL 169: Representative Gene Donaldson of Helena is the chief sponsor of this bill. HB 169 is an act extending handicapped persons' special parking privileges to 100 percent disabled veterans.

Representative Donaldson gave a brief resume of the bill. This bill would allow 100 percent disabled veterans to buy a specially inscribed license plates and entitled them to parking privileges allowed a handicapped person's vehicle. This license plate would cost \$5.00. This bill would remove the fine for overparking if the veteran had a special license plate.

There were neither proponents or opponents testifying on the bill.

The meeting was opened to a question and answer period from the Committee.

Senator Towe asked if it is true that the disabled veteran would not have to buy a parking permit if this bill is passed. This is true.

Senator Towe asked if this applies to only 100% disabled veterans. This is true as to what this bill addressed.

Representative Donaldson closed.

ACTION ON HOUSE BILL 169: This is Representative Donaldson's bill which was previously considered.

A motion was made by Senator Lynch that HB 169 BE CONCURRED IN. Motion carried. Senator Lynch will carry this bill on the floor.

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CONSIDERATION OF HOUSE BILL 465: Stella Jean Hansen of Missoula, the chief sponsor of House Bill 465, gave a brief resume of the bill. This bill is an act to require the Department of Health and Environmental Sciences to adopt rules requiring owners and operators of solid waste management systems to submit information on the location and contents of solid waste disposal sites to counties to record as part of their permanent land records; providing for the recording of such information by county health departments of sites known to them.

Jim Carlson, representing the Missoula County Health Department, stood in support of the bill. He stated that this bill will require owners and operators of solid waste management systems to submit information on the location and contents of solid waste disposal sites to counties to maintain as part of their permanent land records. He stated for the sake of future generations this procedure is necessary. When these land fills are covered up and people move away, no one knows where they were located. Mr. Carlson showed two pictures of former land fills in his county and since covered up. One is now used as a machinery lot. See attachments.

George Oschenski, representing the Environmental Information Center, stood in support of the bill. He stated that this is a good bill and one that is needed. He asked the Committee to give this bill favorable consideration.

Teri England, representing Montana Public Interest Research Group, stood in support of the bill. She stated that this would be beneficial to everyone and, therefore, asked the Committee for favorable consideration.

With no further proponents, the chairman called on the opponents. Hearing none, the meeting was opened to a question and answer period from the Committee.

Senator Hager asked if this is only for solid waste and not hazardous waste. That is the intent of the bill.

Senator Towe asked how this will be recorded. It was suggested that perhaps the information will be recorded on the deeds with the Clerk and Recorder of each county.

Senator Himsl asked about ranchers and their private dumps. This bill addresses only those sites which are recorded when they are being used.

SENATE PUBLIC HEALTH PAGE FOUR MARCH 6, 1985

Senator Hager asked if garbage truck will have to be inventoried when they pull into a recorded site. This is not the case the garbage will be classified either as Class I -- hazardous waste; Class II general residential garbage; Class III--- rocks, bricks and dirt.

Representative Hansen closed.

Senator Towe asked Karen to check with some of the county clerk and recorders to get their feelings about how they intend to file this and report back at the next meeting.

CONSIDERATION OF HOUSE BILL 474: Representative Bob Pavlovich of Butte, the chief sponsor of HB 474, gave a brief resume of the bill. This bill is an act clarifying the requirements to qualify for a mortician's or intern mortician's license; providing that violation of rules on unprofessional conduct adopted by the board may be grounds for refusing to grant, suspending, or revoking a mortician's or funeral director's license; and providing for an immediate effective date.

Dennis Dolan, representing the Montana State Board of Morticians and also Duggan Dolan Mortuary in Butte, stood in support of the bill. He stated that this is a simple housekeeping bill and is intended to clear up some language.

Tom Davis, representing the Montana Funeral Director's Association, and also Franzen-Davis-Bebee Mortuary in Livingston, stood in support of the bill. He stated that this bill will give the board the authority to adopt rules to determine under what conditions unsuccessful applicants for licenses to practice mortuary science may retake the appropriate examination; grant special consideration as to recognition of internship qualifications in hardship cases; and define "unprofessional conduct" for license disciplinary purposes.

Don Pratt, representing the Montana Funeral Directors' Association, stood in support of the bill. He stated that he was in complete agreement with the others who testified on this bill.

With no further proponents, the meeting was opened to the opponents. Hearing none, the chairman opened the meeting to a question and answer period from the Committee.

Senator Towe addressed some amendments which he felt were necessary to make the bill clear.

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Senator Jacobson asked about the effective date called for in the bill. She stated that unless necessary it is better to leave the effective date the same as everything else especially in view of the fact that it is not in the codes until later.

Senator Himsl asked about the 90 quarter hours at an accredited college or university. He asked if there is any specific subjects which are required or could it be simple subjects. Any subject is acceptable. The board does not feel qualified to set down certain required subjects.

Senator Himsl asked if community college graduates qualify under this 90 hours. "Yes" they would qualify as long as it is at an accredited schoool.

Senator Himsl asked about vo-techs qualifying. Senator Lynch stated that vo-techs would not qualify.

Representative Pavlovich closed.

CONSIDERATION OF HOUSE BILL 595: Representative Dorothy Bradley of Bozeman, the sponsor of HB 595, gave a brief resume of the bill. This bill is an act amending section 53-6-101, MCA, to include licensed social workers as permissible providers of medical assistance under the Medicaid Program administered by the Department of Social and Rehabilitation Services.

Ms. Bradley stated that this bill could perhaps save money for the state of Montana.

Sharon Hanton, representing the National Association of Social Workers, stood in support of the bill. She stated that HB 595 is permissive legislation which would allow one to choose according to the Montana Codes. She also stated that there is a team which works together, that being the physician, psychiatrist, and the social worker. The social worker is the only one which is not covered by Medicaid. She handed in a written estimated financial inpact on Medicaid budget utilizing licensed social workers. See attachments.

Andreee Deligdisch of Great Falls, herself a licensed social worker, stood in support of the bill. She has been a social worker for 28 years and just recently went into private practice. However, she is not covered by Medicaid at the present being as she is in private practice. Only mental health clinic patients may qualify for Medicaid payments, however, at the present time there are waiting lists of 2 to 6 weeks before a patient can be seen. That long of a wait could compound the problem of the patient.

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Mrs. Deliegdisch stated that the sooner a patient is seen, the sooner the problem can be corrected. She has taken on some patients that will not be able to pay, but does not feel that she can take too many of them because of her own rent and other bills to pay.

Kelly Chandler, representing the Women's Lobbyist Fund, stood in support of the bill. She stated that she was speaking in favor of HB 595 for three major reasons: freedom of choice; economics; and quality service. She handed in written testimony to the Committee for their consideration. See attachments.

With no further proponents, the chairman called on the opponents. Hearing none, the meeting was opened to a question and answer period from the Committee.

Senator Lynch stated that when the social workers came to the Legislature last session, it was his understanding that they did not care about receiving Medicaid payments, however, now two years later they are back doing exactly what they said they would not.

Senator Towe asked about the real effect of this bill.

Representative Bradley closed.

CONSIDERATION OF HOUSE BILL 605: Representative Mary Ellen Connelly of Kalispell, the chief sponsor of HB 605, gave a brief resume of the bill. This bill is an act to allow the Department of Institutions to establish standards for an approve chemical dependency educational courses provided by state-approved treatment programs and certify course instructors.

She stated that this would give the Department the authority to set and establish certain criteria for courses for those who are convicted of DUI and sent to a chemical dependency school.

Curt Chisolm, deputy director of the Department of Institutions, stood in support of the bill. He stated that his department had requested this bill. The court schools are not consistent at the present time. There should be some consistencies through out the state.

Candis Compton, representing the Highway Traffic Safety Department, stood in support of the bill. She stated that in 1979 court schools were established; in 1981 the schools were mandated; and at the present time those who are convicted of DUI must complete the course at a court school. SENATE PUBLIC HEALTH PAGE SEVEN MARCH 6, 1985

Larry Majerus, representing the Department of Justice, stood in support of the bill. He stated that the Department does not have the authority to set standards and the uniformity is unfair. The Highway Department safety programs would benefit with passage of this bill.

With no further proponents, the chairman called on the opponents. Hearing none, the meeting was opened to a question and answer period from the Committee.

Senator Himsl asked about the increase of costs of the program. He was told that the person attending court school pay his/her own costs. Those that are unable to pay, attend the court schools free of charge or on their ability to pay.

Representative Connelly closed. She stated that with the passage of this bill it would be better for the program. The cost of the course in Flathead County is \$100 for a 10 week course.

ACTION ON HOUSE BILL 605: A motion was made by Senator Towe that HB 605 BE CONCURRED IN. Motion carried. Senator Jacobson will carry this bill on the floor of the Senate.

ACTION ON HOUSE BILL 595: This is the social workers bill.

Senator Jacobson stated that at the present time three members of the medical profession work together as a team. Two of these the physician and the psychiatrist are eligible for Medicaid benefits, however, the social worker is not eligible.

A motion was made by Senator Lynch that HB 595 BE CONCURRED IN. Motion carried. Senator Lynch abstained. Senator Himsl will carry this bill on the floor of the Senate.

ACTION ON HOUSE BILL 474: This is the mortician's bill.

A motion was made by Senator Towe to amend HB 474. Motion carried. See attached Committee Report.

Senator Himsl stated that he is still concerned about the fact of the 90 credit hours at an accredited college or university, and the fact that vo-tech centers do not count.

Senator Jacobson stated that the board is trying to put in a well rounded education and therefore, a vo-tech center would not count.

SENATE PUBLIC HEALTH PAGE EIGHT MARCH 6, 1985

A motion was made by Senator Towe that HB 474 BE CONCURRED IN AS AMENDED. Motion carried. Senator Lynch will carry this bill on the floor of the Senate.

ANNOUNCEMENTS: The next meeting of the Public Health, Welfare and Safety Committee will be held on Friday, March 8, 1985 in Room 410 of the State Capitol to consider House Bills 289, 588, 526, 729, 738, and 743.

ADJOURN: With no further business the meeting was adjourned.

SENATOR JUDY JACOBSON, CHAIRMAN

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ROLL CALL

PUBLIC HEALTH, WELFARE & SAFETY COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date 3/6/85

NAME	PRESENT	ABSENT	EXCUS
SENATOR JUDY JACOBSON, CHAIRMAN	V		
SENATOR J. D. LYNCH, V.CHAIRMAN	ν		
SENATOR TOM HAGER	V		
SENATOR MATT HIMSL	V		
SENATOR TED NEWMAN	V		
SENATOR BILL NORMAN			1/
SENATOR STAN STEPHENS	V		
SENATOR TOM TOWE			
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Each day attach to minutes.

DATE		
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COMMITTEE ON_____

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Senator Judy Jacobson Chairman.

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SENATOR JUDY JACOUSON

Chairman.

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Senator July Jacobson

Chairman.

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Senator Judy Jacobson Chairman.

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Senator Judy Jacobson Chairman.

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SENATOR JUDY JACOBSON Chairman.

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REPRESENTE

SKNATOR JUDY JACOBSON Chairman.

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MR. PRESID	ENT					
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Chairman.

5. Page 2, line 2. Pollowing: line 1 Strike: "(2)" Insert: "(b)"

6. Page 2. line 9. Pollowing: line 8 Strike: "(3)* Insert: "(c)"

7. Page 2, line 10. Following: "ECCIVALENT" Strike: "2 years" Pollowing: "subsection" Strike: *(2)* Insert: "Th"

S. Page 2, line 13. Strike: "(4) * Insart: * lel'

9. Page 2, lines 13 through 15. Following: "board;" on line 13 Strike: remainder of line 13 through "board." in line 15 Insert: "; and"

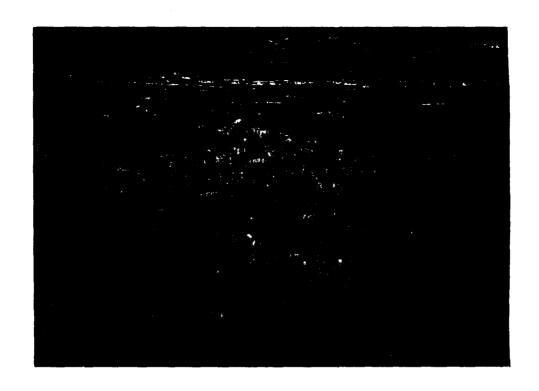
10. Page 2, line 16. Following: line 15 Strike: "[5]" Insert: "[e]"

11. Page 2, line 19. Following: line 18 * (4) " Strike: "(4)" Insert: "(d)"

12. Page 2, line 20. Pollowing: line 19 Insert: "(3) A person who fails the examination required in subsection (d) may retake it under conditions prescribed by rule of the board."

13. Page 5, lines 5 and 6. Strike: section 6 in its entirety

as amended BE CONCURRED IN





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Jim Carlson

NAME DENNIS F.	DOLAN	Bill No	. 474
ADDRESS 3105 YA1	e- Butte	MONT	DATE 3/6/84/
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Comments:			

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Comments:

ESTIMATED FINANCIAL IMPACT ON MEDICAID BUDGET UTILIZING LICENSED SOCIAL WORKERS

Population Served: 1,002 FY83 (source--Paul Miller SRS Medicaid Program)

Number of private practice Licensed Social Workers: 18 (source--Jim Pomeroy, Chairman of Board of Social Workers, Department of Commerce, Helena, Montana)

Average Cost of Services: \$40 per hour (average fees charged by LSW's for Individual, Couple, and Family Counseling. Source--Montana Chapter of NASW)

Length of Services: 12-16 sessions/Brief Psychotherapy (Source-The Frontier of Brief Psychotherapy, by David H. Malan, 1976 Plenum, New York, NY.)

Estimated Maximum Financial Impact if LSW's provide all of the services to all 1.002 users:

\$40(average hourly cost of services) x 16(brief psychotherapy model majority of LSW's utilize) = \$640(cost per individual) x 1,002(number of users FY83) = \$641,280.

NASW Estimated Maximum Financial Impact:

 $$40(average\ hourly\ cost\ of\ services\ of\ LSW's)\ x\ 5\ (mean\ visits\ per\ person\ utilizing) = $200(average\ cost\ per\ individual)\ x\ 1,002(number\ of\ users\ FY83) = $200,400(maximum\ impact\ if\ LSW's\ were\ the\ only\ providers\ to\ provide\ services\ to\ all\ of\ the\ 1,002\ users)$

Estimated Impact: Year one - \$75,000 Year two - \$125,000

Year three - \$150,000

- Typical user of services has five visits. (Source--Mental Health Services: Utilization by Low Income Enrollees in a Prepaid Group Practice Plan and in an Independent Practice Plan. - Medical Care, February 1979, Vol XVII, No. 2.)
- Use of LSW's will decrease medical utilization, thereby decreasing cost to overall system. Studies at Kaiser-Permanente in San Francisco revealed that high medical users significantly reduced their utilization of medical services following psychotherapy, and that the costs of psychotherapy were offset by the savings in general medical costs. (Source--Cummings, Nichoilas A. and W.T. Follette. "Brief Psychotherapy and Medical Utilization: An Eight Year Follow-up." In H. Dorken, ed., The Professional Psychologist Today: New Developments in Law, Health Insurance and Health Practice. San Francisco: Jossey-Bass, 1975.
- LSW's will compete for the 1,002 FY83 users.
- · LSW's do more Group Therapy thereby reducing cost per unit of service.
- LSW's maximize <u>natural support systems</u>, thereby reducing the need for supportive psychotherapy, and reducing costs.
- ·LSW's do brief psychotherapy, thereby reducing the number of visits.

Carroll Jankin M8W)

NAME: Kelly Chandler	_date: <u>_3-6-85</u>
ADDRESS: BOX 1099 Helena, Mt.	59624
PHONE: 449-79/7	
REPRESENTING WHOM? Women's Lobbyist Fo	ind
APPEARING ON WHICH PROPOSAL: H.B. 595	
DO YOU: SUPPORT? AMEND?	OPPOSE?
COMMENTS: (See testimony)	
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PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE	COMMITTEE SECRETARY.

March 6, 1985

Testimony of the Women's Lobbyist Fund by Kelly Chandler, before the Public Health, Welfare and Safety Committee on HB 595

Madam Chairwoman and members of the committee:

For the record my name is Kelly Chandler of the Women's Lobbyist Fund and I am speaking in favor of HB 595 for three major reasons: freedom of choice, economics and quality service.

Freedom of Choice: By adding social workers, a largely female profession, to our Montana Code's existing list of services covered by the state medicaid program, we give clients another choice.

Economics: A social worker offers a less expensive alternative than a psychiatrist, for those who need it. For example, in Billings, the going rate for a psychiatrist is about \$100 per hour, and a social worker is \$30 to \$50 per hour, with \$68 as tops. In states where social workers have been included, insurance rates have not gone up.

Quality Service: Under our state law, social workers are required to hold a doctorate or master's degree in social work, have 3,000 hours of practive in psychotherapy within the past five years and pass an examination.

HB 595 will aid clients in receiving more choices for excellent mental health services that will be covered by the state medicaid program.

The WLF urges you to pass HB 595.

Thank you

NAME CORT CISISMOUT BI	11 No. 606
ADDRESS	DATE
WHOM DO YOU REPRESENT INTO TO	7005
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PLEASE LEAVE PREPARED STATEMENT WITH SECRE	ETARY.

Comments: