MINUTES OF THE MEETING
HUMAN SERVICES AND AGING COMMITTEE
50TH LEGISLATIVE SESSION
HOUSE OF REPRESENTATIVES

The meeting of the Human Services and Aging Committee was called to order by Chairman Budd Gould on February 14, 1987 at 5:45 p.m. in room 312-D of the State Capitol.

ROLL CALL: All members were present.

CONSIDERATION OF HOUSE BILL 711

REP RAPP-SVRECK, House district 51, Thompson Falls, introduced HB 711 which permits an attending physician to allow a patient to bring prescribed medication to a hospital at the time of admittance, and requiring that the medication be administered to the patient by hospital personnel during his hospitalization.

PROPONENTS

JAN CRONQUIST, Montana Senior Citizen Association (MSCA), spoke in support of the bill and covered the potential cost savings between medication administered by a hospital and the same medication obtained from a pharmacy (exhibit 1).

DAVE LACKMAN, Montana Public Health Association (MPHA), spoke in support of the legislation to help control the cost of medical care.

OPPONENTS

JAMES AHERENS, Montana Hospital Association President, spoke on the liability problems associated with allowing patients to bring their own medications to the hospital as well as a control problem connected with these medications. He submitted dispensing drugs from the hospital is not a way to support their pharmacies, but a way of supporting the total hospital.

JERRY LOENDORF, Montana Medical Association (MMA), also spoke in opposition to the legislation due to the liability issue involved. He added that many people take more than one medication and carry them around in a clear, unmarked plastic container. He said the hospital would have to screen those medications to determine what they are, and obviously there will be some mistakes at some time. He suggested the bill should provide immunity to the hospital dealing with these instances.

REP RAPP-SVRCEK closed testimony on HB 711 by stating the opposition is raising false problems the legislation would

not create, noting the bill does provide for hospital and physician control.

REP NELSON suggested amending page 1 line 14 after "medication", add "in the original prescription container". Rep Rapp-Svrcek stated the language would be acceptable to him. Rep Nelson then questioned the term "attending physician" on line 13, and suggested an implication to the family physician or something similar. Rep Rapp-Svrcek stated the intent was to have the control in the hands of the physician who attends the patients while they are in the hospital.

In response to an inquiry from Rep Squires, Bill Leary, Montana Hospital Association noted it is currently a matter of hospital policy on the dispensing of personal medications brought to the facility. He noted medicaid does not pay for outpatient prescriptions but will pay for them within the hospital, which is an economic advantage for those patients under that program.

CONSIDERATION OF HOUSE BILL 713

REP RAPP-SVRCEK presented HB 713, which would require a hospital to notify a patient, prior to release, that he is not required to purchase prescribed medication from a pharmacy located in the hospital. He submitted written testimony from Tom Ryan (exhibit 2) in support of the legislation.

PROPONENTS

JAN CRONQUIST, MSCA, submitted the association's support and referred to exhibit 1 to substantiate their position.

DAVID LACKMAN, Montana Public Health, expressed support for the legislation to help control the cost of medical care.

OPPONENTS

JIM AHERNS, MHA, stated people, upon leaving a hospital, are oftentimes given prescriptions and medication to take home with them as a convenience. He noted hospitals are not retail pharmacies and drugs cannot be purchased there anyway.

REP RAPP-SVRCEK closed testimony on HB 713.

CONSIDERATION OF HOUSE BILL 712

REP RAPP-SVRCEK introduced this legislation which would require a hospital to provide a patient with a detailed, itemized bill upon the patient's request.

PROPONENTS

BILL LEARY, Montana Hospital Association, spoke in support of the legislation but defined the problems with providing the billing at the time of discharge at the patient's request and suggested the billing be sent to the individual five (5) to seven (7) days after discharge.

OPPONENTS

There were no opponents to the legislation.

REP RAPP-SVRCEK then closed testimony on HB 712.

CONSIDERATION OF HOUSE BILL 686

REP BEN COHEN, House District 3, introduced HB 686 which would entitle a patient to inspect and copy his medical records. He submitted exhibit 3 which was the original intent of the proposed legislation. He then addressed the proposed amendments in the title: (1) the inspection or copying of the medical records may be withheld only if a record is specifically required to be withheld from a patient by state or federal law or regulation, and if the event the record is being withheld, that the patient is informed concerning inaccessability to the records; (2) access to records may be limited to a reasonable period of time and number of times; and (3) a person inspecting the records must be informed of any restriction imposed pursuant to the subsection.

PROPONENTS

STEVE WALDRON, Executive Director, Montana Council of Mental Health Centers, stated he would support the legislation with the adoption of the amendments.

OPPONENTS

JERRY LOENDORF, MMA, spoke in opposition to the legislation on the grounds of client-provider confidentiality, and the possible implications of exposing these records for the client's observation.

BILL LEARY, MHA, read from the MHA consent manual the section dealing with hospital records, which are generally considered the property of the hospital since they are prepared on the hospital premises by hospital personnel for use in treating a hospital patient, with inspection by the patient or his authorized representative or his physician. He stated the normal practice in a Montana hospital is to allow any patient, except perhaps the psychiatric or chemical dependency patient, to have access to inspect their record. The records are inspected in the presence of a hospital personnel, and copies are provided for a nominal fee, with no records removed from the hospital by anyone for any reason.

REP COHEN then closed the testimony on HB 686.

CONSIDERATION OF HOUSE BILL 690

REP GLASER, House District 98, Lockwood, introduced HB 690 which would authorize the manufacture, sale, possession, and distribution of calcium-eap, harnosal, and phosetamin to provide for the continuation of medication initiated by a physician for multiple sclerosis. He spoke how MS affects his step daughter, Gwen, and the relief she and 24 other Montanans found from these medications from Dr Hans Neiper, Hanover, West Germany. He noted last year the FDA banned these for use by those suffering from MS. He introduced his grandson, Cody Irons, who said he needed this medicine for my mom.

OPPONENTS

There were no opponents to the legislation.

REP GLASER closed testimony on HB 690. He noted a small error in the bill on page 2, line 5, "suit" should be "salt".

In response to a question from Rep Nelson, Rep Glaser stated Dr Lory had informed him this was a very simple compound, particularly the calcium-eap, which is the more important compound for these individuals, and this medication was not a placebo but it had a real benefit, and there were facilities in the state that could manufacture it. He said a coop arrangement would probably need to be made with a laboratory to get this medicine.

Responding to a question from Rep Corne', Rep Glaser noted there had already been a precedent set on state law superseding federal law in these instances.

CONSIDERATION OF HOUSE BILL 695

REP NANCY KEENAN, House District 66, presented HB 695 which would provide for expanded day-care assistance and providing for an appropriation for the expansion.

PROPONENTS

BARBARA ARCHER, Women's Lobbyist Fund (WLF), read her prepared statement in support of the legislation (exhibit 4), noting child care costs and the ability to pay for quality child care are the biggest problems working women face. She noted HB 695 directs payments for care to go directly to the provider and requires the provider by licensed or registered.

OPPONENTS

There were no opponents.

REP KEENAN closed testimony on HB 695.

In response to an inquiry from Chairman Gould on the support from SRS on this legislation, Ms Archer stated some individuals are opposed to this legislation and some are not.

CONSIDERATION OF HOUSE BILL 674

REP GOULD, House District 61, presented this legislation for Rep Mercer, House District 50, the sponsor, which is an act allowing either the court or the department of SRS to waive a child adoption investigation in certain cases and clarifying that an investigation will not be held when an adult is adopted.

PROPONENTS

REP JAN BROWN, Helena, presented a note from Mary Blake (exhibit 5) stating the legislation clarifies existing statute and is acceptable to SRS.

OPPONENTS

There were no opponents to the legislation.

REP GOULD closed testimony on HB 674.

EXECUTIVE ACTION - HOUSE BILL 674

REP SIMON moved DO PASS HB 674.

A voice vote was taken and the motion PASSED.

EXECUTIVE ACTION - HOUSE BILL 695

REP HANSEN moved DO PASS.

REP HANSEN made a motion to accept the amendments to HB 695 (exhibit 7).

A voice vote was taken and the motion PASSED unanimously.

REP SIMON made a motion TO TABLE HB 695.

A show of hands was taken and the motion FAILED, with five (5) votes against the bill.

REP HANSEN made a motion to give HB 695 a DO PASS AS AMENDED recommendation.

A voice vote was taken and the motion FAILED, eight (8) votes for, ten (10) votes against.

REP SIMON made a motion to DO NOT PASS AS AMENDED, and reverse the votes, on HB 695.

EXECUTIVE ACTION - HOUSE BILL 690

REP PATTERSON moved DO PASS.
REP PATTERSON made a motion to amend HB 690, page 2, line 5, strike "suit", insert "salt".

A voice vote was taken and the motion PASSED unanimously.

REP SIMON moved that language be added on page 2, line 8, strike "are", insert "to provide for the continuation of medication initiated by a physician for Multiple Sclerosis is".

A voice vote was taken and the motion PASSED unanimously.

REP PATTERSON made a motion that HB 690 DO PASS AS AMENDED.

A voice vote was taken and the motion PASSED unanimously.

EXECUTIVE ACTION - HOUSE BILL 686

REP GILBERT made a motion that HB 686 DO NOT PASS.

A voice vote was taken and the motion PASSED unanimously.

EXECUTIVE ACTION - HOUSE BILL 712

REP HANSEN moved DO PASS.

REP SQUIRES made a motion to amend HB 712 page 1, line 12, following "bill" insert "within seven (7) working days of discharge".

A voice vote was taken and the motion PASSED unanimously.

REP HANSEN made a motion that HB 712 DO PASS AS AMENDED.

A roll call vote was taken and the motion FAILED, with seven (7) voting yes, ten (10) voting no.

REP STRATFORD made a motion that HB 712 DO NOT PASS AS AMENDED, and asked for the voting to be reversed.

EXECUTIVE ACTION - HOUSE BILL 713

REP SQUIRES made a motion that HB 713 DO NOT PASS.

A voice vote was taken and the motion PASSED unanimously.

EXECUTIVE ACTION - HOUSE BILL 711

REP CODY made a motion that HB 711 DO NOT PASS.

A voice vote was taken and the motion PASSED unanimously.

EXECUTIVE ACTION - HOUSE BILL 627

REP STRIZICH moved DO PASS.

REP STRIZICH made a motion to amend HB 627 with the following: page 2 line 13, insert "subject to the availability of funding, that the Department of Institutions shall", strike "for to" and insert "additional"; line 17, following "youth court", insert " to replace comparable services located at state institutions", section two (2) - delete in its entirety; page 1, line 13, following (1), strike "The", insert "subject to the availability of funding, the"; on page 1 line 14 strike "for to", insert "additional"; page 1, line 17, following "court", insert "to replace the comparable services located at state institutions".

A voice vote was taken and the motion PASSED unanimously.

REP HANSEN made a motion that HB 627 DO PASS AS AMENDED.

A second roll call vote was taken and the motion PASSED, 12 votes yes, and six (6) votes no.

EXECUTIVE ACTION - HOUSE BILL 637

REP SIMON made a motion that HB 637 DO PASS.

A roll call vote was taken and the motion PASSED, twelve (12) votes yes, six (6) votes against.

EXECUTIVE ACTION - HOUSE BILL 641

REP CODY moved DO PASS.

REP CODY made a motion to adopt the amendment to HB 641 (exhibit 8).

A voice vote was taken and the motion PASSED unanimously.

REP CODY made a motion that HB 641 DO PASS AS AMENDED.

A voice vote was taken and the motion PASSED, with Rep Hansen voting no.

EXECUTIVE ACTION - HOUSE BILL 647

REP HANSEN moved DO PASS.

REP HANSEN moved to amend HB 647 (exhibit 9).

A voice vote was taken and the motion PASSED unanimously.

REP HANSEN made a motion that HB 647 DO PASS AS AMENDED.

A voice vote was taken and the motion PASSED unanimously.

EXECUTIVE ACTION - HOUSE BILL 347

REP GILBERT made a motion that HB 347 be tabled.

A voice vote was taken and the motion PASSED unanimously.

EXECUTIVE ACTION - HOUSE BILL 348

REP GILBERT made a motion to table HB 348.

A voice vote was taken and the motion PASSED unanimously.

EXECUTIVE ACTION - HOUSE BILL 581

REP MCCORMICK made a motion to PASS HB 581.

A voice vote was taken and the motion PASSED unanimously.

EXECUTIVE ACTION - HOUSE BILL 596

CHAIRMAN GOULD moved HB 596 be tabled.

A voice vote was taken and the motion PASSED, with Rep Strizich, Rep Hansen, Rep Russell, and Rep Brown voting no.

EXECUTIVE ACTION - HOUSE BILL 542

REP HANSEN moved DO PASS.

Lee Heiman distributed copies of the gray bill to the committee.

REP SIMON moved the committee pass consideration on the bill to allow them time to study the grey bill. It was the consensus of the committee to do so.

The meeting was adjourned at 9:15 p.m.

Budd Gould, Chairman

bg/gmc/hs2.14

DAILY ROLL CALL

HUMAN SERVICES AND AGING COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date FEBRUARY 14, 1987

NAME	PRESENT	ABSENT	EXCUSED
REP. BUDD GOULD, CHAIRMAN	X		
REP. BOB GILBERT, VICE CHAIRMAN	X		
REP. JAN BROWN	X		
REP DUANE COMPTON	X		
REP. DOROTHY CODY	X		
REP. DICK CORNE'	X		
REP. LARRY GRINDE	X		
REP. STELLA JEAN HANSEN	X		
REP. LES KITSELMAN	X		
REP. LLOYD MC CORMICK	X		
REP. RICHARD NELSON	X		
REP. JOHN PATTERSON	X		
REP. ANGELA RUSSELL	X		
REP. JACK SANDS	X		
REP. BRUCE SIMON	X		
REP. CAROLYN SQUIRES	X		
REP. TONIA STRATFORD	X		
REP. BILL STRIZICH	X		

CS-30

STANDING COMMITTEE REPORT

FEBRUARY 14, 1987 19

Mr. Speaker: We, the committee on HUMAN SERVICES AND AGING

report HOUSE BILL NO. 674

☑ do pass
☐ do not pass

☐ be concurred in
☐ be not concurred in

☐ as amended
☐ statement of intent attached

REP. R. BUDD GOULD, Chairman

ADOPTION INVESTIGATIONS

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STANDING COMMITTEE REPORT

FEBRUARY 14, 19 87

Mr. Speaker: We, the committee on HUMAN SERVICES AND AGING

report HOUSE BILL NO. 605

☐ do pass
☒ do not pass

☐ be concurred in
☐ be not concurred in

☒ as amended
☐ statement of intent attached

REP. R. SUDD GOULD, Chairman

1. Page 1, line 10.
Following: "pay"
Insert: "up to $200 per month per child"

2. Page 1, lines 11 and 12.
Strike: "each" on line 11 through "support" on line 12
Insert: "the purposes of employment or employment related training"

3. Page 1, line 17.
Strike: "whose income is 150% of the AFDC level"

4. Page 1, line 18.
Following: "costs"
Insert: "if the family:
(i) monthly income is above the AFDC gross monthly income standard;
(ii) income is below the AFDC gross monthly income standard, but above the AFDC net monthly income standard and is therefore not eligible for AFDC; or
(iii) is eligible for AFDC or general assistance but chooses not to receive AFDC or general assistance"

5. Page 2, lines 3 through 5.
Strike: "Expanded" on line 3 through "guidelines." on line 5

6. Page 2.
Following: line 7
Insert: "(4) Day-care assistance authorized by this section is available only as appropriated funds are available.

7. Page 2, line 12.
Following: "costs"
Insert: "not to exceed $200 per month per child. Payments are to be made"

8. Page 2, line 13.
Strike: "to receive public financial support"

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9. Page 2, line 15.
Following: "53-4-514"
Insert: "and within available funding. Not more than 10% of the appropriation may be used by the department for administrative purposes"

STANDING COMMITTEE REPORT

FEBRUARY 14, 1987

Mr. Speaker: We, the committee on HUMAN SERVICES AND AGING

report HOUSE BILL NO. 690

☒ do pass
☐ do not pass

☐ be concurred in
☐ be not concurred in

☒ as amended
☐ statement of intent attached

REP. R. BUDD GOULD, Chairman

1. Page 2, line 5.
Strike: "suit"
Insert: "salt"

2. Page 2, line 8.
Strike: "are"
Insert: "to provide for the continuation of medication initiated by a physician for multiple sclerosis is"

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STANDING COMMITTEE REPORT

FEBRUARY 14, 19 87

Mr. Speaker: We, the committee on HUMAN SERVICES AND AGING

report HOUSE BILL NO. 636

☐ do pass
☒ do not pass

☐ be concurred in
☐ be not concurred in

☐ as amended
☐ statement of intent attached

REP. R. BUDD GOULD, Chairman

REQUIRE PATIENT ACCESS TO HIS MEDICAL RECORDS

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STANDING COMMITTEE REPORT

FEBRUARY 14, 19 87

Mr. Speaker: We, the committee on HUMAN SERVICES AND AGING

report HOUSE BILL NO. 713

☐ do pass
☒ do not pass

☐ be concurred in
☐ be not concurred in

☐ as amended
☐ statement of intent attached

REP. R. BUDD COULD, Chairman

HOSPITAL TO NOTIFY PATIENT OF OPTIONAL PURCHASE OF MEDICATION

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STANDING COMMITTEE REPORT

FEBRUARY 14, 19 87

Mr. Speaker: We, the committee on HUMAN SERVICES AND AGING

report HOUSE BILL NO. 711

☐ do pass
☒ do not pass

☐ be concurred in
☐ be not concurred in

☐ as amended
☐ statement of intent attached

REP. R. BUDD GOULD, Chairman

PATIENT ALLOWED TO BRING MEDICATION TO HOSPITAL

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STANDING COMMITTEE REPORT

FEBRUARY 14, 1987

Mr. Speaker: We, the committee on HUMAN SERVICES AND AGING

report HOUSE BILL NO. 641

☒ do pass ☐ be concurred in ☒ as amended
☐ do not pass ☐ be not concurred in ☐ statement of intent attached

REP. P. BUDD GOULD, Chairman

1. Title, line 4.
Strike: "MEDICAL"

2. Title, line 5.
Strike: "CHILDREN"
Insert: "INDIVIDUALS LESS THAN 18 YEARS OF AGE"
Following: "HOSPITAL"
Insert: "UNDER CERTAIN CIRCUMSTANCES"
Strike: "WHEN NO"

3. Title, line 6.
Strike: "OTHER MEDICAL TREATMENT IS AVAILABLE"

4. Title, line 7.
Strike: "53-6-301"
Insert: "53-21-506"
Following: "MCA"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE"

5. Pages 1 through 3.
Strike: everything following the enacting clause
Insert: "Section 1. Section 53-21-506, MCA, is amended to read:

"53-21-506. No commitment to Montana state hospital. (1) An individual less than 18 years of age may not be voluntarily admitted or committed by a court to the Montana state hospital unless such individual is transferred to district court pursuant to 41-5-206.

(2) An individual less than 18 years of age may be temporarily admitted to the Montana state hospital by the department of institutions if:

(a)(i) the court finds that the individual is seriously mentally ill; or

(ii) the court finds that reasonable grounds exist that the individual is suffering from a mental disorder, as defined in 53-21-102, and the court requests an evaluation not to exceed ~~[illegible]~~ days for the sole purpose of determining whether the individual is seriously mentally ill;

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(b) the treatment space provided for in section 5, Ch. 14, Special Laws, June 1986, is fully utilized; and

(c) other appropriate inpatient psychiatric treatment space is not available."

NEW SECTION. Section 7. Effective date -- termination. This act is effective on passage and approval and terminates June 30, 1989."

STANDING COMMITTEE REPORT

FEBRUARY 14, 19 87

Mr. Speaker: We, the committee on HUMAN SERVICES AND AGING

report HOUSE BILL NO. 647

☒ do pass
☐ do not pass

☐ be concurred in
☐ be not concurred in

☒ as amended
☐ statement of intent attached

REP. R. BUDD, GOULD, Chairman

1. Page 1, lines 19 through 21.
Strike: "At" on line 19 through "facility." on line 21
Insert: "The department of health and environmental sciences shall adopt rules governing attending physician review of the drug regimen of each patient under his care in a mental health facility, except that the drug regimen of inpatients in hospitals shall be reviewed no less than weekly."

2. Page 2.
Following: line 2
Insert: "NEW SECTION. Section 2. Extension of authority. Any existing authority of the department of health and environmental sciences to make rules on the subject of the provisions of this act is extended to the provisions of this act."

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STANDING COMMITTEE REPORT

FEBRUARY 14, 19 87

Mr. Speaker: We, the committee on HUMAN SERVICES AND AGING

report HOUSE BILL NO. 581

☒ do pass
☐ do not pass

☐ be concurred in
☐ be not concurred in

☐ as amended
☐ statement of intent attached

REP. R. BUDD GOULD, Chairman

REVISING MONTHLY INCOME STANDARD FOR GENERAL ASSISTANCE RECIPIENTS

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STANDING COMMITTEE REPORT

FEBRUARY 14, 19 87

Mr. Speaker: We, the committee on HUMAN SERVICES AND AGING

report HOUSE BILL 712

☐ do pass
☒ do not pass

☐ be concurred in
☐ be not concurred in

☒ as amended
☐ statement of intent attached

REP. R. BUDD GOULD, Chairman

1. Page 1, line 12.
Following: "itemized bill"
Insert: "within 7 working days of discharge"

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ROLL CALL VOTE

HUMAN SERVICES AND AGING COMMITTEE

DATE FEB. 14, 1987 BILL NO. HB # 712 NUMBER 1

NAME	AYE	NAY
REP. BUDD GOULD, CHAIRMAN		✓
REP. BOB GILBERT, VICE CHAIRMAN		✓
REP. JAN BROWN		✓
REP. DUANE COMPTON		✓
REP. DOROTHY CODY	✓	
REP. DICK CORNE'	✓	
REP. LARRY GRINDE		✓
REP. STELLA JEAN HANSEN	✓	
REP. LES KITSELMAN		✓
REP. LLOYD MC CORMICK	✓	
REP. RICHARD NELSON		✓
REP. JOHN PATTERSON		✓
REP. ANGELA RUSSELL	✓	
REP. JACK SANDS	—	—
REP. BRUCE SIMON		✓
REP. CAROLYN SQUIRES	✓	
REP. TONIA STRATFORD		✓
REP. BILL STRIZICH	✓	
TALLY	7	10

Secretary Chairman

MOTION: REP. HANSON moved DO PASS AS AMENDED - the motion FAILED with 7 favorable and 10 opposing votes.

REP. STRATFORD moved the vote be reversed to a DO PASS AS AMENDED motion - motion CARRIED

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ROLL CALL VOTE

HUMAN SERVICES AND AGING COMMITTEE

DATE FEB 14, 1987 BILL NO. HB # 627 NUMBER 2

NAME	AYE	NAY
REP. BUDD GOULD, CHAIRMAN	✓	
REP. BOB GILBERT, VICE CHAIRMAN	✓	
REP. JAN BROWN	✓	
REP. DUANE COMPTON	✓	
REP. DOROTHY CODY	✓	
REP. DICK CORNE'	✓	
REP. LARRY GRINDE		✓
REP. STELLA JEAN HANSEN	✓	
REP. LES KITSELMAN		✓
REP. LLOYD MC CORMICK	✓	
REP. RICHARD NELSON	✓	
REP. JOHN PATTERSON		✓
REP. ANGELA RUSSELL	✓	
REP. JACK SANDS		✓
REP. BRUCE SIMON		✓
REP. CAROLYN SQUIRES	✓	
REP. TONIA STRATFORD		✓
REP. BILL STRIZICH	✓	

TALLY 12 6

Secretary Chairman

MOTION: REP. HANSEN moved DO PASS AS AMENDED - the motion CARRIED with 12 favorable and 6 opposing votes.

Form CS-31
Rev. 1985

STANDING COMMITTEE REPORT

FEBRUARY 14, 19 87

Mr. Speaker: We, the committee on HUMAN SERVICES AND AGING

report HOUSE BILL NO. 627

☒ do pass
☐ do not pass

☐ be concurred in
☐ be not concurred in

☒ as amended
☐ statement of intent attached

REP. R. BUDD COULD, Chairman

1. Title, line 5.
Strike: "TWO"

2. Title, line 6.
Following: "PROGRAMS"
Insert: "TO REPLACE THOSE DONE AT STATE INSTITUTIONS"

3. Title, lines 6 through 9.
Strike: "; PROHIBITING" on line 6 through "MCA" on line 9

4. Page 1, line 13.
Strike: "two"
Insert: "additional"
Following: "(1)"
Strike: "The"
Insert: "Subject to the availability of funding, the"

5. Page 1, line 17.
Following: "court"
Insert: "to replace similar programs performed at state institutions"

6. Pages 2 through 5.
Following: line 3 on page 2
Strike: section 2 in its entirety
Renumber: subsequent section

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ROLL CALL VOTE

HUMAN SERVICES AND AGING COMMITTEE

DATE FEB 14, 1987 BILL NO. HB # 637 NUMBER 3

NAME	AYE	NAY
REP. BUDD GOULD, CHAIRMAN	✓	
REP. BOB GILBERT, VICE CHAIRMAN	✓	
REP. JAN BROWN		✓
REP. DUANE COMPTON	✓	
REP. DOROTHY CODY	✓	
REP. DICK CORNE'	✓	
REP. LARRY GRINDE		
REP. STELLA JEAN HANSEN		✓
REP. LES KITSELMAN	✓	
REP. LLOYD MC CORMICK		✓
REP. RICHARD NELSON	✓	
REP. JOHN PATTERSON	✓	
REP. ANGELA RUSSELL		✓
REP. JACK SANDS	✓	
REP. BRUCE SIMON	✓	
REP. CAROLYN SQUIRES		✓
REP. TONIA STRATFORD	✓	
REP. BILL STRIZICH		✓
TALLY	12	6

Secretary Chairman

MOTION: REP. SIMON moved DO PASS - the motion CARRIED with 12 favorable and 6 opposing votes.

Form CS-31
Rev. 1985

STANDING COMMITTEE REPORT

FEBRUARY 14, 1997 19

Mr. Speaker: We, the committee on HUMAN SERVICES AND AGING

report HOUSE BILL NO. 637

☒ do pass
☐ do not pass

☐ be concurred in
☐ be not concurred in

☐ as amended
☐ statement of intent attached

REP. RO. BUDD GOULD, Chairman

ALLOW LEGISLATURE TO DETERMINE WELFARE AND HUMAN SERVICE BENEFITS

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Montana Senior Citizens Assn., Inc.

WITH AFFILIATED CHAPTERS THROUGHOUT THE STATE

P.O. BOX 423 · HELENA, MONTANA 59624

(406) 443-5341

HB 711

The Montana Senior Citizen Association, (MSCA), an organization which represents over 7000 senior citizens, strongly supports HB 711.

One of the major priorities of MSCA is to work for quality health care at affordable prices. HB 711, if passed, would help this goal because it would allow patients to bring prescribed medications with them when admitted to a hospital,--medications that may have been obtained at a lower cost than for what they could be purchased in the hospital. The chart below illustrates the potential for cost savings:

Drug	Dose	St. Peters Hospital	Pharm. 1	Pharm. 2
Tagamet	300 mg	$1.15 x 30 = 34.50	15.95 (18.55)	13.69 (20.81)
Furosamide	20 mg	.90 x 30 = 27.00	4.85 (22.15)	5.09 (21.91)
Valium	5 mg	.90 x 30 = 27.00	13.65 (13.35)	13.09 (13.91)
Gen. Valium	5 mg		8.85 (18.15)	4.70 (22.30)

The data was obtained through a recent telephone survey. St. Peters is the local community hospital, pharmacys 1 and 2 are both local pharmacys. The pharmacy prices are for 30 pill quantities; St. Peter's prices were given on a per pill basis. The numbers in parenthesis represent savings compared to the hospital prices. As can be seen, the savings are significant. For this reason, we urge your support of HB 711.

EXHIBIT #2
DATE 2-14-87
HB # 713

EXHIBIT 3
HB 556

OLESON and DeJANA LAW FIRM

Richard DeJana
H. James Oleson

Therese P. Fox

February 5, 1985

Montana Legislature
Atten: Ben Cohen
Montana House Representative
Helena MT 59620

Proposal submitted

Dear Ben:

Enclosed herewith is a draft of some language that I think would be useful for the people and some legislation. It would be nice if you could introduce it. Please let me know your thoughts. If you do decide to introduce it, please refer to the Legislative Counsel for reformation.

I remain sincerely,

Richard DeJana

RDJ/ks

Enclosure

728 S. Main St., Kalispell, MT. 59901
P.O. Box 2078, Kalispell, MT. 59903-2078
(406) 755-5063 or 257-4120

A new act entitled "Patient Records":

Any patient of any physician, medical facility, medical provider or dentist is entitled to their records, without charge, upon reasonable demand, or a copy thereof, without charge, from the physician, medical facility, medical provider or dentist; and any physician, medical facility, medical provider or dentist who fails to so provide is liable for a civil penalty in an amount not to exceed Two Hundred Dollars ($200.00).

WOMEN'S LOBBYIST FUND

Box 1099
Helena, MT 59624
449-7917

2/14/87

Testimony--HB 695, Feb. 14. 1987, Barbara Archer, WLF

Chairman Gould and Members of the Committee:

My name is Barbara Archer, I am speaking for the Women's Lobbyist Fund which represents 39 organizations and over 6500 individuals in Montana.

The WLF asks you to support HB695. Women in Montana receive, on the average, 47 cents less than every $1.00 that a man makes. One fourth of our female-headed households live in poverty. The median income of female-headed households with children under the age of 6 is $4, 931.

We have long been aware of the problem of assistance programs that they tend to keep people where they are, economically dependent and relatively powerless to change it. As soon as one gets a job and gets off public assistance one is faced with child care costs that nearly consume a minimum wage salary and also with the possibility of having to do without medical coverage. In order to break out of low income and poverty situations, we ask, of the most disadvantaged people in our society, more strength of character, more determination and will, more committment of time and energy, and more sacrifice of themselves and their famililies than we ever ask of people with power and privilege.

HB695, which provides for expanded day care assistance through a sliding scale system of child care fees, begins to make it possible for people to get off the treadmill of subsistence living. It provides an incentive and a means by which women can step off the treadmill and become active participants in building Montana communities. The sliding scale coverage is graduated downward , filling in the gap between where assistance programs end and where 55% of the median income begins. This is the gap which keeps returning people to public assistance. It is where women and families are at the greatest risk--usually uninsured nad forced to resort to sub-standard child care.

Child care costs and the ability to pay for quality child care are the biggest problems that women in the work force face. HB695 directs payments for child care directly to the provider and requires that the provider be licensed or registered.

Well over 50% of the children of all ages in Montana have working mothers. There can be no better or more important investment for the future than insuring that our children are well cared for.

We ask that you support HB695.

Thank you.

EXHIBIT #5
DATE
HB

Jan —

John Mercer has a bill - HB 674 - on adoption investigations before the Human Services committee tomorrow - He is out of town, Bud Gould will present it. It is not an SRS bill - but it does clarify existing statute and is fine with SRS — Wanted you to know as SRS is not planning to send anyone.

Please share this with the committee.

Thanks
Mary Blake

EXHIBIT #1
DATE
HB

JL #7
2/4/77
HB 695

AMERICAN ASSOCIATION of UNIVERSITY WOMEN

MONTANA DIVISION

Chairman Gould and Members of the Human Services Committee,

My name is Kathleen Harrington. I am from Helena and I represent the Montana Division of the American Association of University Women.

AAUW supports HB 695 because our members believe that affordable child care is a basic necessity for all mothers with young children when the mother must work or train for work. Too often working families can not afford quality day care without some outside help. The reasons for this assistance are obvious. The per day cost of day care for one child is about $10 per day. A single mother working 40 hours per week for 52 weeks a year at the minimum wage earns $6968 per year. She may be able to afford the $2600 yearly cost of day care for one child but what happens when there are more children in the family?

AAUW supports HB695 because it will benefit the state. Child care allows parents to work and that is economically desirable for both the parent and the state. While this bill represents a cost of $386,000 for the biennium, it also represents a benefit. It allows the economy to have a larger pool of workers to chose from; it provides women the opportunity to get off welfare and to grow out of the welfare mentality; and it increases th possibility of quality care for disadvantaged children. The cliche of "you can pay me now or you can pay me later" with the implication that paying later will be much more expensive is applicable to this situation. The cost of this bill is minimal compared to the increasing costs of welfare - both in the drain on state funds and the drain on individual opportunities.

I hope that you will support this bill.

Kathleen Harrington

KH:BJW

The League of Women Voters of Montana supports HB695.

The League has long recognized that child-care programs are a key supportive service for poor families. Child care is critical in order to assure many women equal access to employment opportunities. As the number of single female heads-of-household has increased, child care needs have grown.

Many women with children are not free to move off public assistance because they cannot afford child care. Child care expenses take such a large chunk of their income that the money that remains is not sufficient to provide for their basic needs.

This bill enables these parents to work. And it does much more, because by enabling these parents to work, it helps to return to them a feeling of self-sufficiency, of pride. It encourages them to take that first, critically important step to getting off public assistance and realize their potential as working, contributing members of society. It has tremendous long-term effects for the struggling parents, for their children, for the state and for society in general.

We urge you to consider the short-term costs as long term investments. At a minimum, we ask that you authorize the program this year, even without funding, and show your support for a program which attempts to address the problem of large caseloads and high welfare costs. We urge your support. Thank you.

Jeanne-Marie Souvigney
February 14, 1987

AMENDMENTS TO HB695 (introduced bill)

1. Page 1, line 10
   Following: "pay"
   Insert: "up to $200 per month per child"

2. Page 1, lines 11 and 12
   Following: "facility,"
   Strike: the remainder of line 11 through "support," on line 12
   Insert: "for the purposes of employment or employment related training,"

3. Page 1, line 17
   Following: "family"
   Strike: "whose income is150% of AFDC level"
   Insert: (i) whose monthly income is above the AFDC gross monthly income standard,
   (ii) whose monthly income is below the AFDC gross monthly income standard, but above the AFDC net monthly income standard and is therefore not eligible for AFDC, or
   (iii) who is eligible for AFDC or General Assistance but chooses not to receive AFDC or General Assistance.

4. Page 2, lines 3 through 5
   Following: "(3)"
   Strike: "Expanded day care is available to an individual and an employer for the purpose of hiring an employee eligible under department guidelines."

5. Page 2, line 8
   Following: line 7
   Insert: "(4) This day-care assistance is only available up to the appropriated level."

6. Page 2, lines 10 and 11
   Following: "department"
   Strike: "of social and rehabilitation services"

7. Page 2, line 12
   Following: "costs"
   Insert: "up to $200 per month per child. Payments are to be made"

8. Page 2, line 13
   Following: "eligible"
   Strike: "to receive public financial support"

9. Page 2, line 15
   Following: "53-4-514"
   Insert: "and within available funding. Not more than 10% of the appropriation can be used by the department for administration purposes"

10. Page 2, lines 16 and 17
    Following: "department"
    Strike: "of social and rehabilitation services"

11. Page 2, lines 23 and 24
    Following: "department"
    Strike: "of social and rehabilitation services"

Amend House Bill 641 (Sponsor)

1. Title, line 4.
Strike: "MEDICAL"

2. Title, line 5.
Strike: "CHILDREN"
Insert: "INDIVIDUALS LESS THAN 18 YEARS OF AGE"
Following: "HOSPITAL"
Insert: "UNDER CERTAIN CIRCUMSTANCES"
Strike: "WHEN NO"

3. Title, line 6.
Strike: "OTHER MEDICAL TREATMENT IS AVAILABLE"

4. Title, line 7.
Strike: "53-6-301"
Insert: "53-21-506"
Following: "MCA"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE"

5. Pages 2 through 3.
Strike: everything following the enacting clause
Insert: "Section 1. Section 53-21-506, MCA, is amended to read:

"**53-21-506. No commitment to Montana state hospital.** (1) An individual less than 18 years of age may not be voluntarily admitted or committed by a court to the Montana state hospital unless such individual is transferred to district court pursuant to 41-5-206.

(2) An individual less than 18 years of age may be temporarily admitted to the Montana state hospital by the department of institutions if:

(a)(i) the court finds that the individual is seriously mentally ill; or

(ii) the court finds that reasonable grounds exist that the individual is suffering from a mental disorder, as defined in 53-21-102, and the court requests an evaluation not to exceed sixty days for the sole purpose of determining whether the individual is seriously mentally ill;

(b) the treatment space provided for in section 5, Ch. 14, Special Laws, June 1986, is fully utilized; and

(c) other appropriate inpatient psychiatric treatment space is not available."

NEW SECTION. **Effective date -- termination.** This act is effective on passage and approval and terminates June 30, 1989."

XT01
\wp\lee\amdhb641

1. Page 1, lines 19 through 21.
Strike: "At" on line 19 through "facility." on line 21
Insert: "The department of health and environmental sciences shall adopt rules governing attending physician review of the drug regimen of each patient under his care in a mental health facility, except that the drug regimen of inpatients in hospitals shall be reviewed no less than weekly."

2. Page 2.
Following: line 2
Insert: "NEW SECTION. Section 2. **Extension of authority.** Any existing authority of the department of health and environmental sciences to make rules on the subject of the provisions of this act is extended to the provisions of this act."

Amend HB 596
Subcommittee Recommendations

1. Title, lines 7 through 9.
Strike: "TO" on line 7 through "VICTIM" on line 9
Insert: "PROVIDING IT IS NOT A BREACH OF PROFESSIONAL PRIVILEGE TO REPORT ABUSE OR NEGLECT"

2. Page 2, line 18.
Following: "(4)"
Insert: "(a)"

3. Page 2, lines 22 and 23.
Strike: "<u>, a possible offender, or any other person</u>"

4. Page 2.
Following: line 23.
Insert: "(b) A person listed in subsection (2) who came into the possession of such reportable information not from the treatment of the child but under other circumstances involving a physician-patient or similar privilege may, in the exercise of professional judgement, refuse to report such information on the basis of such privilege, but if a report is made the person is not liable for breach of privilege or similar action based upon the person's decision to report."

XT01
\wp\lee\amdhb596

VISITORS' REGISTER

HUMAN SERVICES AND AGING COMMITTEE

BILL NO. HOUSE BILL # 711 DATE February 14, 1987

SPONSOR REP. RAPP-SVRCEK

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
David Lackman	MT Public Health Hospital Alliance	✓	
Jan Crongvist	MT Senior Citizens Advocacy	X	
[illegible]	[illegible]		✓
William E Leary	MHA - Helena		✓
James F Almy	HELENA		—

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

CS-33

VISITORS' REGISTER

HUMAN SERVICES AND AGING COMMITTEE

BILL NO. HOUSE BILL # 712 DATE February 14, 1987

SPONSOR REP. RAPP-SVRCEK

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
David Lackman	MT Children's Home Society	X	
William L Fair	Mont Veterans	X	
[illegible]	[illegible]		

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

CS-33

VISITORS' REGISTER

HUMAN SERVICES AND AGING COMMITTEE

BILL NO. HOUSE BILL # 713 DATE February 14, 1987

SPONSOR REP. RAPP-SVRCEK

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
[illegible]	[illegible]	✓	
[illegible]	MSCA Helena	X	
[illegible]	[illegible]		✓
[illegible]	NHA [illegible]		✓

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

CS-33

VISITORS' REGISTER

HUMAN SERVICES AND AGING COMMITTEE

BILL NO. HOUSE BILL # 686 DATE February 14, 1987

SPONSOR REP. COHEN

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

CS-33

VISITORS' REGISTER

HUMAN SERVICES AND AGING COMMITTEE

BILL NO. HOUSE BILL # 690 DATE February 14, 1987

SPONSOR REP. GLASER

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
[illegible]	[illegible]	[illegible]	
[illegible]	[illegible]	[illegible]	
[illegible]	[illegible]	[illegible]	
[illegible]	[illegible]	[illegible]	

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

CS-33

VISITORS' REGISTER

HUMAN SERVICES AND AGING COMMITTEE

BILL NO. HOUSE BILL # 695 DATE February 14, 1987

SPONSOR REP. KEENAN

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
Kathleen Harrington	Helena AAUW	X	
Sandy Merdinger	Helena LWV	X	
Barbara Archer	Women's Lobbyist Fund	✓	

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

CS-33

VISITORS' REGISTER

HUMAN SERVICES AND AGING COMMITTEE

BILL NO. HOUSE BILL # 674 DATE February 14, 1987

SPONSOR REP. MERCER

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
R Budd [illegible]	[illegible]	X	

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

CS-33