

January 7, 1987

1 P.M.

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

The meeting of the Senate Public Health, Welfare and Safety Committee was called to order by Chairman Dorothy Eck on January 7, 1987, at 1 P.M. in Room 410 of the State Capitol.

ROLL CALL: All members of the committee were present.

CONSIDERATION OF SENATE BILL NO. 31: Chairman Eck postponed the hearing for this bill because the sponsor of the bill, Senator Ray Lybeck, evidently had not been notified of the hearing. It also seemed advisable to postpone the hearing so that amendments could be prepared to be heard in conjunction with the bill.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 1: Sen. Delwyn Gage, District #5, sponsor of the bill, stated that the purpose of this bill is to inform Congress of the concerns of the state of Montana that Congress is not taking responsibility for Indian affairs, when it is their legal responsibility to do so.

Senator Gage stated that congressmen don't want to get involved in minority affairs, and that, in the case of Indians, they want to solve issues in court on a case to case basis. He is also concerned that the Indian Health Service will change the definition of who is eligible to qualify for I.H. services, that a person must have 1/4 Indian blood in order to qualify.

Sen. Gage stated that he has written to the President about shirking his responsibility and that Montana does not have the jurisdiction to provide these services. The President should not shift these costs to the state. The state would bear the added responsibility for those not qualifying for Indian Health Care.

The Prseident replied to Senator Gage that there are alternative sources for Indian health costs, such as private insurance and state programs.

PROPONENTS: William Morris, Montana Association of Counties, presented RESOLUTION NO. 85-3 (Exhibit #1), and specifically discussed WHEREAS NOS. 5 & 6 that treatment of the medically indigent is financially supported by revenues from taxes on property on county tax rolls and that Indian trust lands are exempt from county property taxes. But medically indigent enrolled tribal members demand treatment at county and local health facility expense.

OPPONENTS: There were no opponents.

QUESTIONS ON SENATE JOINT RESOLUTION NO. 1: Sen. Hims1 asked if 1/4 Indian blood is part of the objection or the total objection? Sen. Gage answered that it is not the place of the U.S. Congress or the state of MT. to determine who belongs to a tribe. It is a tribal responsibility.

Sen. Hims1 also asked if there are persons with no Indian blood who are tribal members. Sen. Gage answered yes. Wm. Morris added that if those with Indian blood are enrolled tribal members, but living off the reservation, they are not eligible for health care.

Sen. Eck: Is it merely a problem of who qualifies with Indian blood or have services been limited in other ways?


Sen Gage responded: Funding cuts have limited services, but the Federal government is also dumping services back on the states bureaucratically rather than congressionally.

Sen Eck: Are funding cuts and new regulations in effect now?  
Wm. Morris: We haven't experienced increased costs yet, but will with Federal budget cuts. Problems in this area began in 1984. We are anticipating problems. SRS is not present today; but they need to talk about their role.

Sen. Hims1: Curtailment of funding had not happened in 1985; Has it happened yet? Sen. Gage stated that he would check. Staff Researcher Karen Renne will inquire as to whether the rule of Indian eligibility has been implemented.

Final statements by Sen. Gage: He is concerned that the body of regulations is not being made by a body of lawmakers but by random bureaucratic regulations. The results will be a burden. He is also concerned about taxable property on the reservations.

ADJOURNMENT: There being no futher business to come before the committee, the hearing was adjourned at 2:30 p.m.

  
Committee Secretary

  
DOROTHY ECK, Chairman

ROLL CALL

Public Health, Welfare and Safety COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date 1-7-87

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NAME	PRESENT	ABSENT	EXCUSED
Dorothy Eck	X		
Bill Norman	X		
Bob Williams	X		
Darryl Meyer	X		
Eleanor Vaughn	X		
Tom Rasmussen	X		
Judy Jacobson	X		
Harry H. "Doc" McLane	X		
Matt Himsl	X		
Tom Hager	X		

Each day attach to minutes.

DATE 1-7-87

COMMITTEE ON Public Health, Welfare & Safety

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Opp
Barb Booher	Montana Nurses Assoc	SB6 SS 1		
Bill Leary	Montana Hospital Assn	SB6		✓
David Lacteman	Montana Public Health Assn	SB6	X	
Gleaner Wendy				
Fanni Emma				
Gordon Morris	MALCO	SJR 1		✓
Tim Ahnes	Mont Hospital Assn			
Sandy Chanley	Womens Lobbyist Fund			✓

(Please leave prepared statement with Secretary)

## INDIAN HEALTH CARE COSTS

1. WHEREAS, counties, and health facilities must receive adequate reimbursement from the federal government for the higher costs incurred in treating the medically indigent, regardless of whether they may be Indians or non-Indian individuals; and
2. WHEREAS, reductions in funding of the Indian Health Service have added to the burden of payment for the treatment of medically indigent individuals who are enrolled members of Indian tribes; and
3. WHEREAS, as a direct result of reductions in funding of the Indian Health Service, medically indigent individuals who are enrolled members of Indian tribes often represent the majority of all indigents treated in health care facilities that are located in counties with reservations or adjoining reservations; and
4. WHEREAS, federal programs to compensate counties, and health facilities for treatment of the medically indigent currently do not provide sufficient reimbursement for the increased demands for services; and
5. WHEREAS, treatment of the medically indigent is financially supported primarily by revenues derived from taxes imposed on property on county tax rolls; and
6. WHEREAS, Indian trust lands are exempt from county property taxes, and are not included on county tax rolls, but from which come medically indigent enrolled tribal members who demand treatment at county, and local health facility expense;

NOW, THEREFORE, BE IT RESOLVED that the Montana Association of Counties supports efforts directed at urging Congress to correct the inadequate federal reimbursement to counties, and local health facilities for treatment of medically indigent individuals who are enrolled members of Indian tribes; and

BE IT FURTHER RESOLVED that the Montana Association of Counties, in conjunction with the National Association of Counties calls on the President, and the Congress to maintain funding of the Indian Health Service programs to provide adequate health care for enrolled members of Indian tribes who are medically indigent.

SPONSORED BY: Districts 4-5

APPROVED AS AMENDED: ANNUAL CONVENTION, JUNE 12, 1985

86/87 CONTINUING RESOLUTION

REAFFIRMED: ANNUAL CONVENTION -JUNE 10, 1986