

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 51st LEGISLATURE - REGULAR SESSION

#### SUBCOMMITTEE ON INSTITUTIONS

Call to Order: By REP. MENAHAN, on January 6, 1989, at 8:30 a.m.

#### ROLL CALL

Members Present: All with the exception of Sen. Bengtson

Members Excused: Sen. Bengtson

Members Absent: None

Staff Present: Taryn Purdy, Associate Fiscal Analyst

Announcements/Discussion: Taryn Purdy passed out the Institutions and Cultural Education Subcommittee agenda and briefly discussed the agencies and institutions involved, the subcommittee resources, agenda and major issues noting that Pine Hills School, Mountain View School and the Aftercare and Youth Evaluation Programs are now in the Department of Family Services. See Exhibit 1.

Rep. Menahan asked the subcommittee to think about how they would like to handle executive action, and if it should be done on the same day that the budget was heard, and then asked Taryn to explain what the modifies do.

Taryn Purdy then discussed modified budgets and how they differ from current level, and the major issues the committee will be discussing.

Tape A, Side 1, .060

Rep. Menahan asked Curt Chisholm, Director of the Department of Institutions to give an overview of the major issues regarding his department.

Curt Chisholm passed out a Department of Institutions organization chart which he felt would help identify who and what the department is, keying in on Treatment Services and Corrections Divisions which are the key focus of the

organizational chart because they are the primary reasons why the department exists. See Exhibit #2. He stated the Treatment Services Division was renamed about a year ago consolidating the Mental Health and Residential Services Division and the Alcohol and Drug Abuse Division. It is important to note that the Department of Institutions by virtue of federal regulations is designed as the single state authority for issues relating to chemical dependency, drug abuse, alcohol abuse and the single state authority relative to mental health issues because they are the agency designated to receive federal funds. They are, in effect, a department of human services. They run both institutional and community based services in each of the major program areas of the department. The Department of Institutions is also the single state authority for all aspects of adult corrections both community based and institutional based. Therefore, when they talk about problems in one area they have to talk about problems throughout the entire continuum of care.

Tape A. Side 1, 143

In the Corrections Division the administrator is Mr. Russell who is responsible for both community based institutional adult corrections for both men and women.

Tape A, Side 1, 181

Management Services Division assists the Director and two division managers to effectively manage their responsibilities. He stated they are trying to get away from crisis management in the department. The Fiscal Bureau is the arm that assists with the budgeting and budget forecasting. The Reimbursement Bureau collects all patient services that are provided. It is anticipated that in the next biennium the bureau will collect close to \$38,000,000 for the general fund.

The major issues they will be facing are the rising prison population, both male and female, certification of the institutions for medicaid reimbursement, and salaries and the ability to effectively recruit professional positions to serve in the capacity of treatment professionals and direct care nursing positions.

Tape 285

Senator Aklestad stated he thought that in the last

subcommittee they passed unanimously a salary increase for those actual workers. He asked if those salary increases actually got down to the working people that are providing the service because that was their intent.

Curt answered he was sure it did. Whatever salary increases were authorized by the Legislature were given to all state employees.

Chairman Menahan asked: was the only thing they had done was hold some positions open so they could gather some money to pay some psychiatrists more money in order to get somebody in?

Curt answered that they hadn't been able to fill some of the psychiatric positions. They have used that money to contract a firm out of Salt Lake City to provide a local attendant psychiatrist for a two/three months at a time and are paid on a contract basis for their service. They found themselves in a position of having to make do as opposed to going with a psychiatrist.

Chairman Menahan stated he felt it would be advantageous for the subcommittee to try and get on top of this situation. He asked what areas are out of compliance, what is causing the problem and if it should be addressed early in the session so as to make some well thought out decisions.

Curt stated that some of the things he had talked about he feels are the responsibility of the department. By virtue of the performance contract with the Department of SRS they have to be in compliance relative to providing treatment for all the relevant aspects of federal regulations in operating an ICFMR. The regulations are fairly clear relevant to the State's responsibilities but within those regulations there are large amounts of room for interpretation. Curt feels it should be clarified what is expected of our superintendents to stay in compliance with ICFMRs.

Tape 373

Senator Aklestad asked Curt if he had a different interpretation of the rules and regulations or what constitutes compliance between SRS and Institutions. Curt answered that at times they do. In response to another question from Senator Aklestad Mr. Chisholm stated that the

department occasionally interprets rules and regulations differently than SRS, and that they were attempting to write an agreement on how to interpret the rules and regulations.

Chairman Menahan asked Curt after the dialogue is completed and he has an understanding of at least where the SRS Department is coming from, does he perceive that the department would challenge some of those rules and regulations that are not in the best interest of the patients. Curt answered certainly. Chairman Menahan asked that Curt make the subcommittee aware of those individual criteria factors that he felt are out of line at a later time.

Tape 477

A discussion of institutional salaries and the impact of salaries on the department's ability to hire professional staff followed.

Tape 545

Chairman Menahan suggested this is something the subcommittee should be thinking about and handle that aspect fairly fast. He told Curt and the subcommittee that he has a draft for a program to solve some of the Institutions' salary problems.

Tape 581

Sen. Harding asked if the speech therapists are in the same category. Curt answered yes. Sen. Harding then asked if they are in the same pay matrix and does Institutions also have difficulty getting them in. Curt answered that was correct.

Rep. Peterson then stated that once in awhile she hears that state institutions are not as attractive in finding those positions as private institutions and not dealing with money necessarily, there is more prestige for a psychiatrist who is in a private clinic than the psychiatrist who is working in Curt's department. Curt stated she was absolutely correct.

Tape 632

Sen. Aklestad asked that the staff research to see what motions were made last time pertaining to salary increases and if it was made and passed through the legislative process, he would like to know if they really did get the increases or not and if they didn't, why not.

Tape 656

Rep. Peterson asked if the subcommittee has the opportunity to suggest that if a psychiatrist is at a level 15 or 20, does the subcommittee have the chance of changing that level?

Chairman Menahan answered the subcommittee can establish some prices to be paid. Taryn added that the subcommittee could fund a higher level of pay for the position but the subcommittee cannot authorize a higher grade or a higher step.

Wilbur Rehmann from the Montana Nurses' Association stated that wages at the State Hospital in Warm Springs for registered nurses is about \$2.00 per hour below the prevailing wage at Butte, Anaconda, Missoula, Helena and Bozeman.

Chairman Menahan then introduced the following people who spoke briefly about their organization:

Richard Miller, Montana State Library  
Dave Nelson, Montana Arts Council  
Bob Clark, Montana Historical Society  
Deborah Schlesinger, Montana Library Assoc.  
Mary LaFond, Budget Analyst, OBPP

Others present:

Keith W. Boone, Montana Nurses' Assn.  
Carleen Lassise, Montana Arts Council  
Jon C. Sesso, Montana State Library, NRIS Program  
Gloria Hermanson, Montana Cultural Advocacy  
Jacki Wrigg, Montana State Library  
Brian Cockhill, Montana Historical Society

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Bob Anderson, Department of Institutions  
Dan Russell, Department of Institutions  
Jim Currie, Department of Institutions  
Gail Briese, Department of Institutions  
Bobbie Dixon, Department of Institutions  
Skip Culver, Department of Institutions

Chairman Menahan told the subcommittee they will be hearing Chemical Dependency on Monday and will meet everyday except Saturdays, 8:00 a.m.

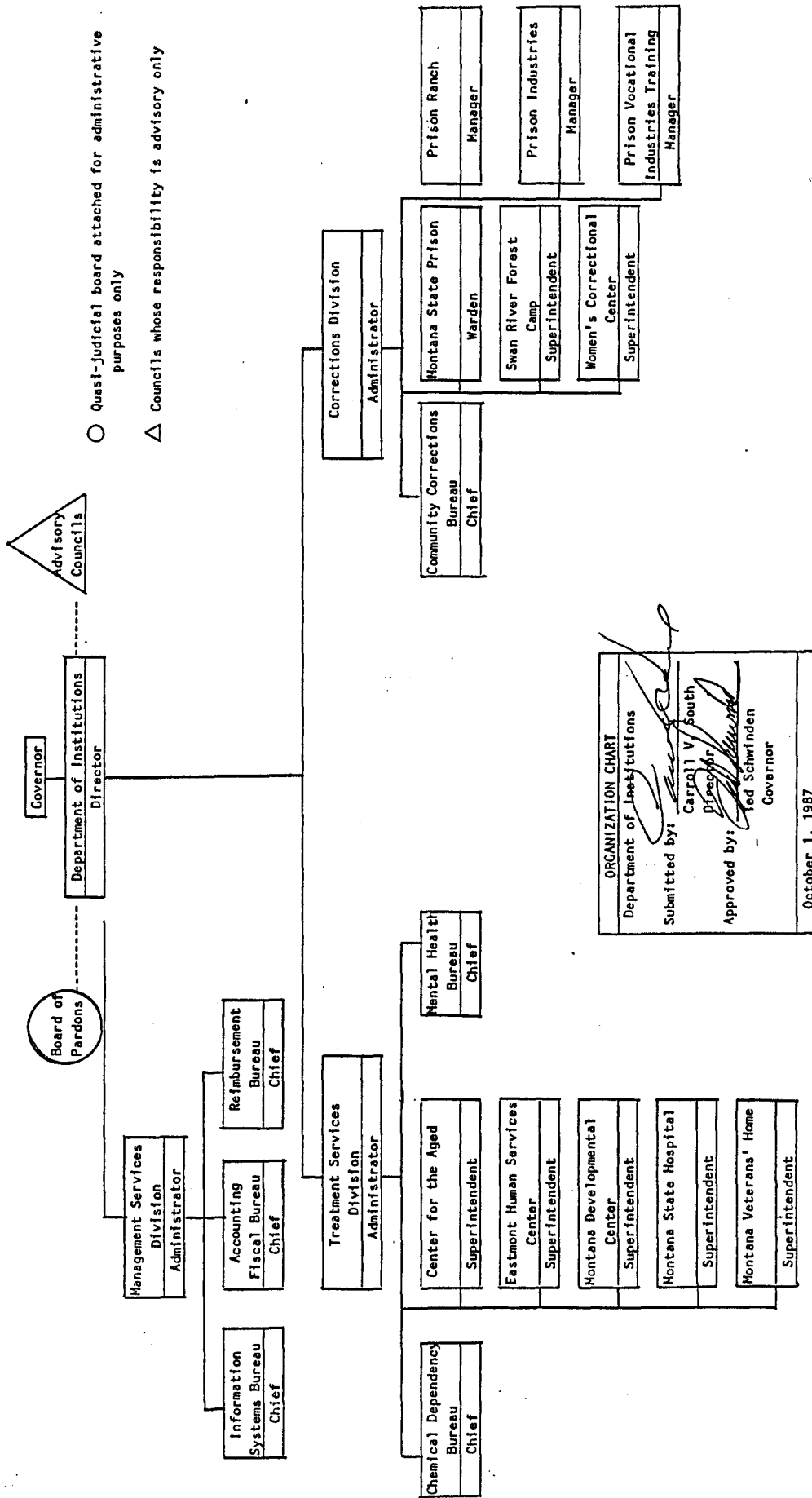
ADJOURNMENT

Adjournment At: 9:42 a.m.

  
REP. WILLIAM MENAHAN, Chairman

WM/ms

0624.min



Please sign name  
+ Department

Wilbur W. Rehmann - Montana Musician

Keith W. Boone - Montana Musicians Ass.

Carleen Lammie - Mt Arts Council

Jon C. SESCO - MT State Library - NRIS program

Richard Miller - MT State Library

Dave Nelson MT Arts Council

Gloria Hermann MT Cultural Advocacy

Jackie Wray MT State Library

Deborah Schenck MT Lib. Assoc.

Brian Cockhill Mt. Historical Society

Bob Clark Mt. Historical Society

ART CHAIRMAN DOT. INSTITUTIONS

Bob Anderson

" "

Don Turner

" "

Jim Currie

" "

Mary LaFond Budget Analyst OBPP

Gail Breese Dept of Institutions

Dolores Rife Dept. of Institutions

Step Culver Dept of Inst.

(2986) Tanya Purdy, Assoc. Fiscal Analyst



## **INSTITUTIONS AND CULTURAL EDUCATION SUBCOMMITTEE**

### **Orientation**

#### **Agencies and Institutions**

##### **Department of Institutions**

###### **Central Office**

**Director's Office**

**Management Services**

**Chemical Dependency**

**Mental Health**

**Corrections**

**Women's Corrections**

**Corrections Medical**

**Montana Developmental Center**

**Center for the Aged**

**Eastmont Human Services Center**

**Montana State Prison**

**Swan River Forest Camp**

**Montana Veterans' Home**

**Montana State Hospital**

**Board of Pardons**

**Montana Arts Council**

**Montana State Library**

**Historical Society**

Pine Hills School, Mountain View School, and the Aftercare and Youth Evaluation Programs are now in the Department of Family Services.

#### **Committee Resources**

**Committee Staff**

**Executive Budget**

**LFA Current Level**

**Comparison Sheets**

#### **Agenda**

**Schedule - Currently No Saturday Meetings Scheduled**

**Travel Days**

**Hearings and Executive Action**

**Modified Budgets**

## Major Issues

### Department of Institutions

- Vacancy Savings

- Pharmacy Functions of State Institutions

- New Federal Medicaid Standards

### Central Office

- Mental Health Funding

- Men's Pre-Release Funding

- Corrections Medical Expenses

- Women's Corrections Population

### Montana Developmental Center

- Medicaid Certification

### Center for the Aged

- New Federal Medicaid Standards

### Prison

- Population, with corollary issues of supplies, staff, and canteen

### Montana Veterans' Home

- New Federal VA and Medicaid Standards

### Montana State Hospital

- New Federal Medicaid Standards

- Professional Staff Vacancies

- Lawsuit