

MINUTES

MONTANA HOUSE OF REPRESENTATIVES  
51st LEGISLATURE - REGULAR SESSION

SUBCOMMITTEE ON INSTITUTIONS

Call to Order: By Rep. William Menahan, on January 18,  
1989, at 8:00 a.m.

ROLL CALL

Members Present: All but Rep. Ed Grady

Members Excused: Rep. Ed Grady

Members Absent: None

Staff Present: Taryn Purdy, Associate Fiscal Analyst

Announcements/Discussion: This committee has been invited  
to join the Health and Human Services Subcommittee  
February 1, at 7:00 p.m. to hear HB66

The committee will travel to Boulder today after  
adjournment of the Senate

Curt Chisholm, Director of the Dept. of Institutions,  
handed out exhibit 1, the Department of Institutions  
Supplemental Requests FY89. He went over the figures as  
follows:

MONTANA DEVELOPMENTAL CENTER	\$294,669
General Fund	
MONTANA STATE HOSPITAL	42,076
Canteen Account	
MONTANA STATE PRISON	181,616
Canteen Account	
CENTRAL OFFICE MEDICAL	48,360
General Fund	

Curt stated they are requesting spending authority only  
in the canteen accounts. The Montana State Hospital canteen  
account of \$42,076 will reflect \$11,000 to be spent  
on equipment for the canteen, as profit margins become  
available.

\$1500 ice maker  
\$1500 smoke detector

\$3,000 for a juke box  
\$3,000 for a microwave oven  
\$2,000 for a display case

Senator Aklestad asked if a portion of the money that comes out of the machines is kept by the inmates. The money goes into accounts that the various unit supervisors control. Bill Wells, Associate Warden at the prison stated they intended to be self-supporting. Three percent of total sales is transferred back into the inmates' fund for the purpose of buying supplies.

Mr. Chisholm stated that in regard to the corrections medical supplemental request, they have a number of cases that could turn into major expenses on the program. They would cover this potential cost in two ways. First, they are anticipating a general fund reversion of \$72,000 at Montana State Prison. However, they may need to open up additional space to house the anticipated population increases, and would need these funds for that purpose. The other option is to allow them to use part of the \$440,000 reversion they currently expect at the prison due to lower than anticipated workers' compensation costs. They currently are prohibited from doing this by language in House Bill 2, which states they must revert all excess workers' compensation funds.

Senator Aklestad questioned how would they handle the workers' comp. accident rates and what could be done to reduce or help reduce these accidents. He also stated that the department must have known before now that the additional space was needed to house increased population. Mr. Chisholm said they did know and that there is a 90% chance that this additional space will be used for emergency provisions.

In response to a question by Sen. Aklestad, Dan Russell, Administrator for the Corrections Div., stated that double bunking is being used to the fullest extent possible.

In response to a question from Sen. Bengtson, Mr. Chisholm explained that they have no early release authority at the present time and they are not in a position to request the early release program. Jack McCormick, Prison Warden, testified he would not like this early release program.

Rep. Peterson said she has received letters from groups, such as religious etc. wanting to start up pre-release homes.

Senator Bengtson asked why so much smoking is allowed. She wondered why the sentence could not include no smoking. Mr. Russell stated that the laws would not allow this.

Curt cited some patient's medical costs, such as operations, radiation etc. and named several severe cases that are first scrutinized by the Medical Review Board and only after a lot of consideration are these medical problems handled. Mr. McCormick stated they try to save state money by using the medical review panel to pick out the major problems. Senator Aklestad asked if a lay person should be on this panel to question recommendations by the doctors, and Curt stated they make fair recommendations and even question other doctor's and make sure the inmate actually needs the medical attention.

Senator Harding asked about dental care and Curt said they have their own dentist. Recommendations for dental work are reviewed by the panel.

Action on the corrections medical supplemental was deferred.

Sen. Bengtson moved to give them the spending authority for both the Canteen accounts at the Montana State Hospital and Montana State Prison. Motion passed.

#### MONTANA DEVELOPMENT CENTER General Fund \$294,669

Mr. Chisholm stated that this supplemental was to primarily fund an additional 15.0 FTE direct care habilitation aides added in fiscal 1988 to meet medicaid certification.

Jennifer Pryor, Acting Superintendent commented that in the eleven years she has been at the Montana Development Center there hasn't been a great deal of change but they have made some fairly drastic changes the last year. Historically, they have been surveyed and have found some deficiencies and they correct them. The surveyors are now more sophisticated than they ever were. They have federal surveyors accompany the state team. She thinks there is a push to have the states assume more responsibility. The standards have changed and they can't have them kept up. They don't pay enough to keep the professional staff there.

Senator Aklestad asked about state and federal regulations and compliance with them. He also asked if there were written recommendations. He felt the needs of the patients should be put in writing. Mr. Chisholm stated there were written recommendations and they would continue to be aggressive with the patient's needs. Curt explained there is also a need for two good clinical psychologists.

Rep. Bardanouve was asked for his comments and he said session after session we have the mandates on this facility. Year in and year out the committee is faced with the same problems.

Sen. Bengtson said she has no problem with facing the responsibility with what the facility should have; the problem is how the legislature is handling it.

## ADJOURNMENT

Adjournment At: 10:00 a.m.

  
REP. WILLIAM MENAHAN, Chairman

WM/ms

1524.min

## VISITOR'S REGISTER

SUBCOMMITTEE

AGENCY(S) \_\_\_\_\_

DATE 1-18-89

DEPARTMENT \_\_\_\_\_

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT.  
IF YOU HAVE WRITTEN COMMENTS, PLEASE GIVE A COPY TO THE SECRETARY.

# VISITOR'S REGISTER

SUBCOMMITTEE

AGENCY (S)

DATE 1-18-89

DEPARTMENT

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT.  
IF YOU HAVE WRITTEN COMMENTS, PLEASE GIVE A COPY TO THE SECRETARY.