

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 51st LEGISLATURE - REGULAR SESSION

SUBCOMMITTEE ON HEALTH & HUMAN SERVICES

Call to Order: By Chairman Bradley, on February 10, 1989, at 8 a.m.

ROLL CALL

Members Present: All members were present.

Members Excused: None

Members Absent: None

Staff Present: Peter Blouke, LFA
Lois Steinbeck, OBPP

Announcements/Discussion: Executive Action on Social & Rehabilitation Services (SRS) programs; subcommittee meeting time on 2-13-89 will be 7:30 a.m.

DISPOSITION OF SRS

Chairman Bradley requested Dr. Blouke to present a report on budgets reviewed by the committee that require executive action.

Lois Steinbeck presented a comparison of executive budget proposal to subcommittee action summary sheet (exhibit 6).

A025

Dr. Blouke presented exhibit 1 (attached) for review. Page 1 of exhibit 1 displays the executive proposed level, the legislature level and the difference. The legislature level is \$16,193,775 under the executive for 1990 and \$8,022,935 under in 1991. However, Dr. Blouke pointed out there are several things that this subcommittee has not addressed yet as far as funding: inpatient funding for psychiatric care for youth; developmentally disabled modifieds of approximately \$771,000 in 1991; and the percentage of poverty level for AFDC recipients.

Executive action, AFDC payment levels, page 2, 5, 6 and 7 of exhibit 1:

Discussion of present and proposed percentage points of federal poverty index was presented. Sen. Keating asked what the current percentage was and Dr. Blouke reported approximately

40.9 percent of federal poverty index; he stated the fiscal year 1990 payment level is set on federal calendar year 1989 poverty index, which means that there is a year's lag and this has the effect of dropping the payment level below what AFDC recipients are currently receiving. On page 7 a calculation on the actual poverty index is shown at 42 percent of the actual poverty index and that brings it back to approximately the same level as you have at 41 percent now.

Chairman Bradley asked for members to take executive action on AFDC for two reasons; there is a need to clarify exactly what we intended and secondly we have a bill draft request in to the legislative council to deal with this. She stated that one of the logical way to go is to get the numbers (the dollar amounts) out of the statute and to pick a percentage level.

A110

Rep. Cody asked if the only program that was in the statute was the general assistance program and Chairman Bradley said yes.

A142

Sen. Hofman stated that subcommittee could make a motion to leave it at 41 percent; Sen. Van Valkenburg reported a need to establish 41 percent of the current federal poverty index.

A227

Motion by Sen. Keating to repeal present statute and establish 41 percent of federal poverty index.

Motion did not carry with Sen. Van Valkenburg, Reps. Cody, Grinde and Cobb dissenting.

A292

Discussion followed. Rep. Cobb stated that if this bill went to the House for approval, the percentage level would be moved up to 42 percent and reported he would vote for 42 percent now.

A305

Rep. Cody expressed a need not to define specifics, such as dollar amounts, in the statute because that takes away the authority of the appropriations subcommittee to act in a prudent fashion.

A325

Rep. Grinde stated he would vote for 42 percent. Sen. Keating asked Mr. Tickell what other benefits AFDC recipients received besides the dollar amount payment each month. Mr. Tickell stated that AFDC recipients were eligible to purchase food stamps, participate in low income energy assistance program, medicaid, and a few receive subsidized housing; also depending on age of the children,, pregnancy,

etc., there are some recipients who participate in the Women/Infant/Child (WIC) program.

Sen. Keating asked if the new welfare reform act would not also give disregards on some earnings, subsidized medicaid and day care for a year, etc. Mr. Tickell reported these would also constitute future benefits.

A481

Rep. Grinde withdrew motion for 42 percent of poverty level. Discussion that followed revealed members were very interested in holding dollar amounts even to present level and in trying to be fair to recipients.

A530

Motion by Rep. Grinde to repeal language of present statute and establish 42 percent of federal poverty index as payment level for AFDC recipients.

Motion carried with Sen. Van Valkenburg, Sen. Hofman and Rep. Bradley dissenting.

A567

Dr. Blouke asked the subcommittee for a motion on AFDC budget on page 2 of exhibit 1, summary breakdown of programs.

Motion by Rep. Cody to accept dollar figures as adjusted for the previous AFDC motion of an established 42 percent of federal poverty level index as payment level for AFDC recipients.

Motion carried with Rep. Cobb dissenting.

A620

Motion by Sen. Van Valkenburg to accept legislature current level of proposed funding for eligibility determination program, page 8, exhibit 1.

Motion carried UNANIMOUSLY.

A635

Motion by Sen. Keating to accept the modifieds for eligibility determination program, page 8, exhibit 1.

Motion carried UNANIMOUSLY.

A650

Motion by Rep. Cobb to accept current legislature level of proposed funding for administration and support program, page 10, exhibit 1.

Motion carried UNANIMOUSLY.

A669

Motion by Sen. Keating to accept current legislature level of proposed funding for county administration program, page 11,

exhibit 1.

Motion carried UNANIMOUSLY.

A684

Maggie Bullock addressed the subcommittee on the need to evaluate 5,000 nursing home residents during the next biennium; she reported a need of \$157,000 for the next biennium to complete this evaluation. Discussion followed on source of funding as state funds are available and matching federal funds can be requested on a 75%/25% match. Lois Steinbeck reported state funds are available because initially the state had applied on a 50%/50% match.

A765

Motion by Rep. Cobb to approve the spending authority for funding for biennium to complete evaluation of 5,000 nursing home residents.

Motion carried UNANIMOUSLY.

A804

Motion by Sen. Keating to accept the current legislature level of proposed funding for medical assistance program, page 12 of exhibit 1.

Motion carried UNANIMOUSLY.

A810

Maggie Bullock reported that the welfare reform act, the omnibus budget reconciliation act and the catastrophic health care act would require contingency funding. Discussion followed as to other options when Rep. Grinde asked what would happen without contingency funding. Mr. Tickell reported that the agency would have to go for supplemental funding; he also reported the complexity of tracking funds as these three federal acts are implemented at the state level, which would require more technicians. Other than that, the agency could maintain ballpark figures for future evaluation purposes by the legislature.

A985

Sen. Van Valkenburg proposed funding of \$1.4 million for a contingency fund. Discussion followed as to match.

A020

Lois Steinbeck reported that depending on what funds are used for, federal match should be 70%.

A054

Rep. Cobb suggested members wait until April for more information on clarification of department's needs.

A086

Rep. Cody asked if the department would have to come back to request more money. Mr. Tickell replied that this dollar

amount could be either up or down.

A150

Sen. Keating inquired about the process of supplemental amendments. Sen. Van Valkenburg stated the project director decides if request for supplement is approvable, then sends to the legislative fiscal analyst and the finance committee to act; they have 90 days to reply but the project director has final authority.

A179

Motion by Sen. Keating that request for \$1.4 million contingency fund be handled through a budget amendment process to maintain legislative oversight of funds.

Motion carried with Rep. Cobb dissenting.

Motion by Sen. Keating that the above motion be documented as number 6 on page 14 of exhibit 1.

Motion carried with Sen. Hofman, Reps. Grinde and Cobb dissenting.

A239

Motion by Sen. Keating to accept dollar amounts of primary care, modified level, on page 16 of exhibit 1, which reflect the 2 percent increase for providers.

Motion carried with Reps. Cobb and Grinde dissenting.

A372

Motion by Sen. Van Valkenburg to raise speech pathologists hourly rate from \$26 to \$33 an hour over the next biennium, as specified on page 17 of exhibit 1.

Motion carried with Rep. Grinde, Sen. Hofman and Sen. Keating dissenting.

Discussion followed that this raise in pay would exclude the 2 percent increase offered to other providers.

B065

Motion by Rep. Cody to accept the legislature current level of proposed funding for the audit and compliance program, page 18 of exhibit 1.

Motion carried with Rep. Cobb dissenting.

B087

Dr. Blouke reported that the vocational rehabilitation and visual services programs are part of the same administrative division in SRS. Because the agency testified that it was often difficult to predict the exact mix of visually impaired and vocational rehabilitation clients, it was the intent of the legislature that the VR and VS programs be

allowed flexibility in transferring benefit funds between programs.

B094

Motion by Rep. Cobb that VR and VS programs be allowed flexibility in transferring benefit funds between the two programs, page 22, exhibit 1.

Motion carried UNANIMOUSLY.

B101

Motion by Rep. Cobb to accept current legislature level of proposed funding for the vocational rehabilitation program, page 20, exhibit 1.

Motion carried UNANIMOUSLY.

B110

Motion by Rep. Cobb to accept current legislature level of proposed funding for the disability determination program, page 23, exhibit 1.

Motion carried UNANIMOUSLY.

B117

Motion by Rep. Cobb to accept current legislature level of proposed funding for the visual services program, page 24, exhibit 1.

Motion carried UNANIMOUSLY.

B122

Motion by Sen. Van Valkenburg to accept current legislature level of proposed funding for the developmental disabilities program, page 26, exhibit 1.

Motion carried with Rep. Cobb dissenting.

B126

Motion by Rep. Cody to accept current legislature level of proposed funding for the developmental disabilities program, planning and advisory council, page 28, exhibit 1.

Motion carried UNANIMOUSLY.

B132

Chairman Bradley requested subcommittee to review language in Rep. Driscoll's HB 296 (exhibit 2) and propose any modifications members deem necessary.

Sen. Van Valkenburg suggested placing a period after program, line 16 of HB 296, with concurrence of subcommittee, and strike the remainder of line 16 and all of line 17.

B135

Chairman Bradley reported floor open to discuss a specialized service and support organization (SSSO) with one logical proposal being a funded pilot project that could be evaluated by the 1991 legislature as to its effectiveness in meeting the intensive care needs of the developmentally disabled.

B158

Rep. Cody expressed a concern for the 1000+ unserved clients in the state. Mr. Taylor reported that there will be DD clients graduating from special education classes next year to increase unserved numbers. Currently there are 42 people on the community waiting list and for placement purposes, there are no stipulation that placement would be from an institution or private home; need for placement is based on priority.

B309

Discussion as to location was discussed but Mr. Taylor reported that no community had been named but the intensive care group home with day program services would serve 52 severely disabled adults, some of whom are not currently receiving state services and normally would require institutionalization. Mr. Taylor reported that there are 13 intensive care group homes in the state in reply to Rep. Cody's inquiry as to number of group homes already operating.

B505

Sen. Hofman stated the Montana Developmental Center at Boulder offered better living and treatment resources for the developmentally disabled where there is a trained staff, the staff are more enriched and experienced, there is a much smaller environment and opportunity for a more normal life, and finally where the DD residents are accepted and integrated into the Boulder community.

B643

Sen. Keating inquired if \$1.7 million were required for start up costs, how is the funding matched. Agency staff said 70%/30% out of Title 19, Medicaid waiver, and general funds.

C043

Rep. Grinde stated we should be developing a more comprehensive plan, involving all primary care groups, in MDC Boulder and community and proceed step by step. Discussion on the possible permanent decertification of Boulder and the needs of the 1000+ undeserved prompted Rep. Cody to inquire how many of those undeserved were children. Mr. Taylor said 192.

C124

Motion by Rep. Cobb to approve \$1.7 million as funding for one
(1) SSSO facility established with, or to work in conjunction

with, facilities already in the state.

Motion carried with Sen. Hofman and Rep. Grinde dissenting.

C226

After Chairman Bradley opened floor for discussion of the "Farmer in the Dell" group home, Sen. Keating asked Mike Hanshew the cost of operating this group home and Rep. Cobb asked what type, and how many, farmer in the dell group homes there were. Residents receive \$368, plus \$94, in SSI benefits; of this amount, each resident is allowed \$40 for personal needs. The remaining benefits will be paid to the state for contracted services.

C350

Motion by Sen. Keating to accept the Farmer in the Dell proposal with \$126,400 start up cost and an annualized cost of \$128,928.

Motion carried with Sen. Hofman dissenting.

C422

Dr. Blouke referred subcommittee to exhibit 3. page 705, for motions and approval of language contained therein.

C449

Motion by Sen. Van Valkenburg to accept language of paragraph 1, page 705, exhibit 3.

Motion carried with Reps. Cobb and Grinde dissenting.

C551

Motion by Sen. Van Valkenburg to accept language of paragraph 2, page 705, exhibit 3.

Motion carried UNANIMOUSLY.

C560

Motion by Sen. Keating to accept language of paragraph 3, page 705, exhibit 3.

Motion carried UNANIMOUSLY.

C572

Motion by Sen. Keating to accept language of paragraph 4, page 705, exhibit 3.

Motion carried with Sen. Van Valkenburg dissenting.

C580

Motion by Rep. Cobb to accept language of paragraph 5, page 705, exhibit 3.

Motion carried UNANIMOUSLY.

C625

Motion by Sen. Keating to accept language of paragraph 6, page 705, exhibit 3.

Motion carried UNANIMOUSLY.

C644

Motion by Sen. Hofman to allow department to have ability to move employees as needed with reference to paragraph 7, page 705, exhibit 3.

Motion carried with Sen. Van Valkenburg, Reps. Grinde and Cobb dissenting.

C657

Motion by Rep. Cobb to accept language of paragraph 8, page 705, exhibit 3.

Motion carried UNANIMOUSLY.

C674

Motion by Sen. Keating to strike the language in paragraph 9, page 705, exhibit 3.

Motion did not carry with Sen. Hofman and Sen. Van Valkenburg and Reps. Grinde and Cobb dissenting.

C692

Motion by Rep. Cobb to accept the language in paragraph 9, page 705, exhibit 3.

Motion carried with Sen. Keating, Reps. Bradley and Cody dissenting.

C750

Motion by Rep. Cobb to accept the language in paragraph 10, page 705, exhibit 3.

Motion carried UNANIMOUSLY.

Motion by Sen. Keating to accept the language in paragraph 11, page 705, exhibit 3.

Motion carried UNANIMOUSLY.

C770

Motion by Sen. Van Valkenburg to accept the language in paragraph 12, page 705, exhibit 3.

Motion carried UNANIMOUSLY.

No motion on paragraph 13, page 706, exhibit 1. This will not be included.

No motion on paragraph 14. Subcommittee will postpone motions until discussion on costs of Rivendell are completed.

Motion by Rep. Cobb to accept the language of paragraph 15, page

705, exhibit 3.

Motion carried UNANIMOUSLY.

C953

Motion by Sen. Van Valkenburg to accept language as asterisked in paragraph 3, page 347, exhibit 4.

Motion carried with Rep. Cobb dissenting.

C001

Motion by Sen. Van Valkenburg for committee to reconsider and strike paragraph 5 from the entitlement program bill, Page 705, exhibit 3.

Motion carried with Sen. Hofman dissenting.

C099

Motion by Sen. Keating to accept Part H language as underlined in exhibit 5.

Motion carried UNANIMOUSLY.

Chairman Bradley summarized that we have not shut the door to a concept of an SSSO; what we are considering has absolutely nothing to do with MDC Boulder but we are looking further into that possibility as well as looking further into the Farmer in the Dell.

ADJOURNMENT

Adjournment At: 12:01 p.m.



REP. DOROTHY BRADLEY, Chairman

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