

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
52nd LEGISLATURE - REGULAR SESSION**

SUBCOMMITTEE ON INSTITUTIONS & CULTURAL EDUCATION

Call to Order: By WM. "RED" MENAHAN, on February 6, 1991, at 8:00 A.M.

ROLL CALL

Members Present:

Rep. Wm. "Red" Menahan, Chairman (D)
Sen. Gary Aklestad (R)
Sen. Tom Beck (R)
Rep. Dorothy Cody (D)
Rep. Chuck Swysgood (R)

Members Excused: Senators Dick Manning and Eleanor Vaughn

Staff Present: Sandra Whitney, Associate Fiscal Analyst (LFA)
Mary LaFond, Budget Analyst (OBPP)
Mary Lou Schmitz, Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

HEARING: MONTANA STATE HOSPITAL

Dan Anderson, Administrator, Mental Health Division said the budgets to be heard are for two programs within the inpatient components of the Mental Health system; the Montana State Hospital at Warm Springs and Montana Center for the Aged at Lewistown. Warm Springs has a total capacity of 403 beds and for FY90 had an ADP of 293 patients. A total 860 people were served at the State Hospital during 1990. The Center for the Aged has a 191 bed facility which had an ADP of 153 in 1990. Both programs have clearly defined roles within the system and clearly articulated missions. The role at Montana State Hospital is to provide inpatient treatment for adults who require an extended period of time to stabilize acute episodes of mental illness and for patients who continue to exhibit active symptoms of mental illness on a chronic basis that would constitute a danger to themselves or others. The mental health system has to develop alternatives for some patients who are currently being admitted to the State Hospital but who could more appropriately be served elsewhere. There are three kinds of patients. The first are people who have suffered a traumatic head injury, often from an automobile accident. The second are people diagnosed as having personality disorders. Specialized treatment for these disorders can best be provided on an outpatient basis. The third group is people with mild mental retardation or borderline intelligence

and have committed sex offenses. Because of a lack of any alternative programs, these people are sometimes admitted to the State Hospital.

Similarly, at the Center for the Aged there is a need for clarification of admission and the role of that institution. The Center serves elderly people with mental illnesses who need nursing care and cannot be served successfully because of their behavior problems and psychiatric symptoms in regular nursing homes or other community settings. That mission needs to be further elaborated and more thoroughly publicized throughout the human services system as a whole.

Jane Edwards, Superintendent, Montana State Hospital, said there are three funding issues to address. One, while the annual fee for the HPI pharmacy contract has increased department-wide, the fee has actually decreased at Montana State Hospital by approximately \$100,000 due to a reapportioning of fees assessed each institution. This decrease is reflected in the executive budget but is not reflected in the LFA budget. Two, the executive budget has added approximately \$350,000 each year of the biennium for prescription drugs to enable the hospital to administer the new anti-psychotic drug Clozaril. This is not included in the LFA budget. The third issue is the LFA budget has deleted 1.0 FTE Administrative Officer position because it was vacant for more than 6 months. The working title of this position is director of staff development which is a critical position responsible for the over-all organization, administration and coordination of staff development and training. This position establishes the goals and objectives for all hospital training including the recently mandated Nurse Aide Certification program. This position is critical in the training of treatment unit staff and the quality of nursing and other treatment programs is directly impacted. This position is traditionally held by a Registered Nurse. The position became vacant for the first time since created in 1981 due to retirement. In reality it has not been vacant since that time. They have paid an RN differential to perform the duties and responsibilities of that position. It has been officially vacant for several reasons. One, it was necessary to pay off the obligations of that position before it could be filled; two, they made several attempts to upgrade the position consistent with the upgrade in salaries received by RNs at the hospital; three, due to the difficulty in recruiting RNs at the hospital, felt differential pay should be provided and not employ another nurse in a non-direct care position. In December 1990 this position was advertised and filled.

Ms. Edwards said there presently exists on the Warm Springs campus a need to provide quality alcohol and drug treatment to mentally ill persons. These two treatments must occur in most instances simultaneously in a mental health inpatient setting.

REP. CODY asked about the drug Clozaril and if there was any

follow-up or continued treatment after the patient is released. **Ms. Edwards** said treatment must be continued with the drug following release to achieve recovery to the point where they can be maintained outside the hospital unit. **REP. CODY** asked who follows it up to make sure the patient is taking the drug. **Ms. Edwards** said the patients are referred to one of the community health center programs where they have weekly medication reviews. **SEN. BECK** asked how many communities have the daily monitoring program. **Mr. Anderson** said 11 communities have intensive case managers. **SEN. BECK** said every precaution should be taken so there is no danger to society as there were a couple problems in the past. **REP. CODY** said there is \$347,000 budgeted each year of the Biennium for Clozaril and how many patients will be receiving the drug. **Ms. Edwards** said they have identified 40 patients within the current population, based on \$9,000 per year.

HEARING CENTER FOR THE AGED

Ron Balas, Superintendent, Center for the Aged, Lewistown said there are two modifieds based on admission/discharge assumptions. In FY92 the Center will discharge 20 personal care residents and admit 20 heavy care residents. By the end of the fiscal year they will discharge 10 residents who could be served in private nursing facilities. The ending census in FY92 would be 140. In FY93 the Center would discharge the remaining 27 personal care residents and 8 additional residents who could be served in private nursing facilities. The ending census in FY93 would be 115. These assumptions are based on level of care reviews of residents at the Center, Galen's long term care unit and Unit 219, Warm Springs Campus. The reviews were conducted initially by Department of Institution's staff and later by a team from Montana-Wyoming Foundation.

The first modification is based on a direct care staff in FY92 to meet the needs of the additional 20 heavy care residents. The Center is asking for 9.6 FTE Resident Care Aides, 1.6 FTE RNs, 1.6 FTE LPNs for a total of 12.8 FTE. In FY93 the requests have been reduced by 6.37 FTE because of the discharge of 27 personal care residents and essentially 18 other residents who would be served in private nursing facilities (10 in FY92 and 8 in FY93). The staff reductions are 4.72 FTE Resident Care Aides, 0.64 FTE RNs, and 1.01 FTE LPN which totals 6.37 FTE.

The second modification is for non-direct care staff and some operating expenses. In FY92 they are requesting a Psychologist and Assistant Director of Nursing, Recreation Therapist and 2.53 FTE Rehab Aides. This is to meet the needs of the additional 20 heavy care residents. Attached to this mod is \$71,684 of operating expenses, approximately \$36,000 are variable costs associated with the admission/discharge plan. The other \$35,000 is not part of this plan but a separate issue and **Ms. Whitney** will present the costs for review.

REP. CODY asked what would happen if these assumptions do not

take place. Mr. Balas said the LFA does not include the Galen issue in its numbers.

OVERVIEW ON CHEMICAL DEPENDENCY

Darryl Bruno, Administrator, Alcohol and Drug Abuse Division reviewed Exhibit 3. REP. MENAHAN asked what is involved for a counselor to be certified. Mr. Bruno said there are a number of points needed, such as work experience or education and passing three exams. Norma Jean Boles said it is a competency based system with minimum requirements that come from either academic education with a degree, formalized training or experience.

REP. CODY asked if the same standards apply to community based programs that apply to Galen. Mr. Bruno said yes. The standards are developed for each approved component whether it is an outpatient, inpatient, transition living or a DUI court school. Galen is a free-standing inpatient program and has the same standards the Rimrock foundation program in Billings does. Programs are evaluated each year to insure they are meeting the standards. If not, a follow-up evaluation is done in 90 days. If standards are still not met, then program approval is removed and the facility cannot receive state or county funding.

Mike Ruppert, Director, Boyd Andrews Court School, Helena, said there is no funding mechanism built into SB101 and it is a matter of the staff and alcohol director working together for resources.

John Nesbo, Mental Health Center, Billings said they have a chemical dependency component and depend on state funding and cooperation of several counties they serve. This program is strictly outpatient.

ADJOURNMENT

Adjournment: 10:30 A.M.



WM. "RED" MENAHAN, Chair



MARY LOU SCHMITZ, Secretary

WM/mls

HOUSE OF REPRESENTATIVES
INSTITUTIONS AND CULTURAL EDUCATION SUBCOMMITTEE

ROLL CALL

DATE 2-6-91

NAME	PRESENT	ABSENT	EXCUSED
REP. WM."RED" MENAHAN, CHAIRMAN	✓		
SEN. DICK MANNING, VICE-CHAIRMAN			✓
REP. DOROTHY CODY	✓		
SEN. ELEANOR VAUGHN	✓		✓
REP. CHUCK SWYSGOOD	✓		
SEN. GARY AKLESTAD	✓		
SEN. TOM BECK	✓		

HR:1991
CS10DLRLCALIN&C.MAN

6001 DEPARTMENT OF INSTITUTIONS
50 MENTAL HEALTH SYSTEM
50521

MONTANA STATE HOSPITAL BUDGET WORKSHEET

DATE : 01/09/91
TIME : 15/17/66
CURRENT LEVEL COMPARISONS

Budget Item	Actual Fiscal 1990	Executive Fiscal 1992	LFA Fiscal 1992	Difference Fiscal 1992	Executive Fiscal 1993	IFA Fiscal 1993	Difference Fiscal 1993
FLL	717,005	535,001	671,36	136,35-	535,001	671,36	136,35-
Personal Services	17,703,236	15,302,407	10,501,949	3,199,542-	15,437,716	18,687,192	3,249,476-
Operating Expenses	3,677,802	3,215,231	3,553,985	338,754-	3,304,406	3,643,148	338,742-
Equipment	20,033	27,000	27,000	0	20,026	26,026	0
Total Expend.	\$21,407,071	\$18,054,638	\$22,102,934	\$3,538,296-	\$18,798,748	\$22,386,966	\$3,588,218-
<u>Fund Sources</u>							
General Fund	19,680,468	10,333,015	21,472,732	3,138,917-	18,477,017	21,655,487	3,178,470-
State Revenue Fund	1,798,507	319,727	719,106	399,379-	320,455	730,383	409,748-
Federal Revenue Fund	1,096	1,096	1,096	0	1,096	1,096	0
Total Funds	\$21,407,071	\$10,654,638	\$22,192,934	\$3,538,296-	\$18,798,748	\$22,386,966	\$3,588,218-

CURRENT LEVEL DIFFERENCES

Personal Services
1. LFA eliminated 1.0 FTE vacant Admin. Officer position- Grade 16/2 which is in Exec.
2. Differences due to closure of Galen hospital & nursing home
3. Base differences in Overtime, differential, holidays & benefits

Total Personal Services differences

Operating Expenses

- Differences due to Clozaril drug program - Base amounts before inflation
- Differences due to closure of Galen
- HPI contract differences
- Insurance Differences
- D of A Network differences
- Base differences
- Inflation differences - primarily supplies and materials and utilities

Total Operating differences

Funding

- Earmarked alcohol tax - Galen closure issue
- Other state funds - Interest, canteen, donations
- Federal Revenue - no difference

Total Other Funds

4. Balance with general fund

ISSUES

- Committee Issues

-----Exec over (Under) LFA-----
FY 92 FY 93
\$35,923 \$36,027
(\$5,443,986) (\$3,456,160)
\$208,521 \$170,657
(\$3,199,542) (\$3,249,476)

E. J. Kelly
2-6-91
Inst. Subcomm.

CENTER FOR THE AGED BUDGET WORKSHEET

*Exp. budget 2-6-91
Inst. Subcomm*

Budget Item	Actual Fiscal 1990	Executive Fiscal 1992	LFA Fiscal 1992	Difference Fiscal 1992	Executive Fiscal 1993	LFA Fiscal 1993	Difference Fiscal 1993
ILE	109,60	108,17	108,17	.00	103,68	108,17	4,49-
Personal Services	2,217,571	2,578,513	2,578,522	9-	2,486,370	2,590,887	106,517-
Operating Expenses	572,179	660,195	638,097	22,098	656,285	654,815	1,470
Equipment	30,125	43,041	20,460	22,581	12,874	20,460	7,586-
Total Expend.	\$2,819,875	\$3,281,749	\$3,237,079	\$44,670	\$3,153,529	\$3,266,162	\$112,633-
<u>Fund Sources</u>							
General Fund	2,006,352	3,264,414	3,220,230	44,184	3,136,194	3,249,313	113,119-
State Revenue Fund	13,523	17,335	16,849	486	17,335	16,849	486
Total Funds	\$2,019,875	\$3,281,749	\$3,237,079	\$44,670	\$3,153,529	\$3,266,162	\$112,633-

CURRENT LEVEL DIFFERENCES

Personal Services

- Differences due to executive FTE reduction in fiscal 1993
- Base differences in Overtime, differential, holidays & benefits

Total Personal Services differences

Operating Expenses

- HPI contract differences
- Base differences
- Inflation differences - primarily supplies and materials and utilities

Total Operating differences

Equipment

- Current Level funds top 7 requests, in line with historical average

Funding

- Donations & Canteen - Current Level includes \$486 less in donations than Executive Budget
- Balance with general fund

ISSUES

- Committee Issues

-----Exec over (Under) LFA-----
FY 92 FY 93

---Executive Action----

\$0 (\$99,330)
(\$9) (\$7,187)

(\$9) (\$106,517)

\$22,543 \$24,886
\$19,139 \$7,516
(\$19,584) (\$30,732)

\$22,098 \$1,470

\$22,581 (\$7,586)

\$486 \$486

MODIFIED REQUESTS

22221 1. Nursing Home Patient Transfer - direct care personal services - General Fund - P. D-25
 12.8 FTE in fiscal 1992 and 6.4 FTE in fiscal 1993 as follows:

	FY 92	FY 93	
a) Resident care aides Grade 7/2	9.6	4.88	
b) Nurse positions Grade 13/2	1.6	0.96	
c) LPN II positions grade 10/2	1.6	0.59	
Total FTE	12.8	6.43	

The Executive Budget modified request includes 12.8 FTE each year of the biennium.
 The department requests a reduction from the Executive budget of 6.37 FTE and \$135,296
 for the second year of the biennium. The updated modified request is:

\$271,589 \$137,044

22222 2. Nursing Home Patient Transfer - non-direct care - General Fund - P. D-25
 5.53 FTE in fiscal 1992 and 3.73 FTE in fiscal 1993 as follows:

	FY 92	FY 93	
a) Psychologist Grade 17/2	1.00	1.00	
b) Nurse Supv. Grade 15/2	1.00	1.00	
c) Recr. Therapist Grade 14/2	1.00	0.00	
d) Rehab Aide I Grade 8/2	2.53	1.73	
Total FTE	5.53	3.73	

Personal Services related to Galen closure
 Operating Expenses related to Galen closure
 Medical director contract and other contracted
 services not related to Galen closure

\$155,746 \$108,672
 \$36,684 \$16,942
 \$35,000 \$35,000
 \$227,430 \$160,614

Total Cost

ex. 2
 2-6-91
 Inst. Subcomm.

3

2-6-91

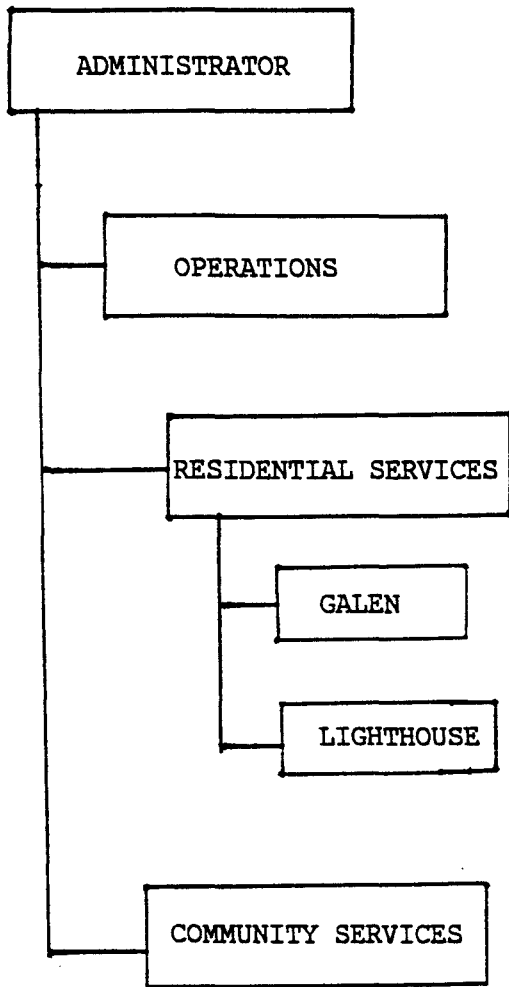
Instit. Subcomm.

Exhibit 3
2-6-91

DEPARTMENT
OF
INSTITUTIONS

ALCOHOL & DRUG ABUSE DIVISION

A D A D



DIVISION OPERATIONS - CENTRAL OFFICE

Staff: 1 Division Administrator
 1 Supervisor of Standards and Quality Assurance
 1 Planning and Prevention
 1 Certification and Statistics
 2 Program Evaluators
 1 Project Evaluator - Prevention Grants

Responsibilities:

- ▶ Planning and approval of 4 year County Plans
- ▶ ADAD prepares 4 year plan - biannual update
- ▶ Distribution of Funds
 - A. Earmarked Revenue
 - * Historical Note: 1977 - HB 627 mandated the present alcohol tax.

Created earmarked account for treatment to fund Galen ASC and community-based chemical dependency treatment programs.
 - ▶ Alcohol tax distributed to counties monthly on an 85% population, 15% land mass basis.
 - B. Distribute ADMS Block Grant Funds and General Fund
 - ▶ Pursuant to legislative mandates and federal block grant criteria.
 - C. Distribute Community Youth Activity Demonstration and Block Grant (Prev) funds.
- ▶ Program Evaluation and Approval
- ▶ Standards Development
- ▶ Certification of Alcohol and Drug Counselors
- ▶ Statistics
 - On-site evaluations
 - Computerized reports
 - ADIS Information System
- ▶ Monitoring of Treatment Effectiveness Indicators
- ▶ Prevention/Education

CHEMICAL DEPENDENCY TREATMENT SYSTEMS

34 State Approved Programs in 68 Locations

- 2 - Detoxification
- 5 - Inpatient Hospital
- 9 - Inpatient Freestanding
- 2 - Intermediate (TLF)
- 24 - Outpatient *Services Available in Every County
10 Provide Intensive Outpatient
- 24 - DUI Court Schools

PROBLEMS

▼ Declining Revenue Compounded by Increased Restrictions

▲ Increased Demand

- ▶ Federal Priorities/Restrictions
- ▶ Legislative Mandates, i.e., Mandatory Treatment for Repeat DUI Offenders and Project Work Clients
 - Criminal Justice Referrals
 - Department of Family Services Referrals
 - Increased Caseloads Statewide
 - Greater Demand for Intensity of Services in OP Programs (IOP)

Insurance Crisis

Appropriation of Earmarked Tax Revenue for Additional State Services

Transfer of ADMS Substance Abuse Funds, i.e., to Mental Health

PROACTIVE SOLUTIONS

▶ Initiate Managed Care Policies

GOAL: Encourage the Most Appropriate, Necessary, Effective and Cost Efficient Utilization of Services via Patient Placement Criteria and Utilization Review

▶ Promote Cost Efficient Services When Appropriate, i.e., IOP

▶ Ensure Expanded Use of Aftercare Services

▶ Assist Correctional Facilities in Developing IOP Tx With the Facility and Ensure Aftercare Service

▶ Protection & Retrieval of Earmarked and ADMS Substance Abuse Funds for Chemical Dependency Treatment Services

CHEMICAL DEPENDENCY OPERATIONS BUDGET WORKSHEET

DATE : 01/09/91
 TIME : 16/31/00
 CURRENT LEVEL COMPARISONS

Exhibit # 4 2/6/91
 Instit. Subcomm.

2.6-91

Budget Item	Actual Fiscal 1990	Executive Fiscal 1992	LFA Fiscal 1992	Difference Fiscal 1992	Executive Fiscal 1993	LFA Fiscal 1993	Difference Fiscal 1993
FTE	9.00	6.00	6.00	.00	6.00	6.00	.00
Personal Services	297,266	201,607	201,607	0	201,144	201,144	0
Operating Expenses	93,777	103,881	98,272	5,609	88,881	82,730	6,151
Equipment	0	738	738	0	307	307	0
Grants	68,500	0	0	0	0	0	0
Debt Service	900	0	0	0	0	0	0
Total Expend.	\$410,463	\$306,226	\$300,617	\$5,609	\$290,332	\$284,181	\$6,151
Fund Sources							
State Revenue Fund	318,617	279,226	273,617	5,609	263,332	257,181	6,151
Federal Revenue Fund	91,826	27,000	27,000	0	27,000	27,000	0
Total Funds	\$410,463	\$306,226	\$300,617	\$5,609	\$290,332	\$284,181	\$6,151

-----Exec over (Under) LFA-----
 FY 92 FY 93

Operating Expenses
 1. Base differences - printing \$4,997 \$4,997
 2. Base differences - travel \$2,719 \$2,719
 3. Other Base differences (\$1,456) (\$1,456)
 4. Inflation differences (\$651) (\$109)
Total Operating differences \$5,609 \$6,151

Funding
 1. Earmarked alcohol tax - primary funding source \$5,609 \$6,151
 2. Federal Revenue - Dept. of Inst. SSI - no difference

ISSUES
 1. Committee Issues

MODIFIED REQUESTS
 1. Community Youth Activity Demonstration Grant - Federal Funds - P. D-27
 FY 92 FY 93
 Grade 14/2 1.00 0.25
 Personal Services \$27,893 \$6,957
 Operating expenses \$32,725 \$8,792
 Grants \$447,216
Total \$507,834 \$15,749

2. Chemical Dependency Data grant - All Operating Expense - Federal Funds - P. D-27
 \$65,788 \$16,447

---Executive Action----

MSH CHEMICAL DEPENDENCY BUDGET WORKSHEET

DATE : 01/09/91
TIME : 15/17/90
CURRENT LEVEL COMPARISONS

Exhibit # 4 2/6/91
Instit. Subcomm.

Budget Item	Actual Fiscal 1990	Executive Fiscal 1992	LFA Fiscal 1992	Difference Fiscal 1992	Executive Fiscal 1993	LFA Fiscal 1993	Difference Fiscal 1993
FTE	.00	.00	51.65	51.65-	.00	51.65	51.65-
Personal Services	0	0	1,408,733	1,408,733-	0	1,413,201	1,413,201-
Total Expend.	\$0	\$0	\$1,408,733	\$1,408,733-	\$0	\$1,413,201	\$1,413,201-
<u>Fund Sources</u>							
General Fund	0	0	235,030	235,030-	0	235,030	235,030-
State Revenue Fund	0	0	1,173,703	1,173,703-	0	1,178,171	1,178,171-
Total Funds	\$0	\$0	\$1,408,733	\$1,408,733-	\$0	\$1,413,201	\$1,413,201-

CURRENT LEVEL DIFFERENCES

ISSUES

1. Galen closure - this budget is in LFA current level but not the Executive Budget because the Exec. anticipates providing these services in the community as indicated by the modified request below.

2. Committee Issues

MODIFIED REQUESTS

92300 1. Alternative Chemical Dependency Services - P. D-26

Grade 15/2 - Program Officer II
Grade 14/2 - Program Officer I
Grade 10/2 - Program Asst. II

	FY 92	FY 93
Total FTE	2.00	2.75
Personal Services	\$51,380	\$72,135
Operating expenses	\$9,265	\$11,660
Equipment	\$4,698	\$75
Grants	\$1,962,498	\$1,966,161
Total	\$2,027,841	\$2,050,031
Funding		
General Fund	\$470,102	\$472,175
Alcohol Earmarked Fund	\$1,536,544	\$1,535,959
Federal ADMS Block grant	\$21,195	\$41,897
Total	\$2,027,841	\$2,050,031

----Executive Action-----

-----Exec over (Under) LFA-----
FY 92 FY 93

(\$1,408,733) (\$1,413,201)

\$2,027,841 \$2,050,031

AP

8

~~2-7-91~~

CURRENT LEVEL COMPARISONS

Budget Item	Actual Fiscal 1990	Executive Fiscal 1992	LFA Fiscal 1992	Difference Fiscal 1992	Executive Fiscal 1993	LFA Fiscal 1993	Difference Fiscal 1993
FTE	.00	.00	.00	.00	.00	.00	.00
Operating Expenses	2,100	0	0	0	0	0	0
Grants	1,957,498	2,141,176	2,141,176	0	2,141,176	2,141,176	0
Total Expend.	\$1,959,598	\$2,141,176	\$2,141,176	\$0	\$2,141,176	\$2,141,176	\$0
<u>Fund Sources</u>							
General Fund	215,199	135,497	215,200	79,703-	135,497	215,200	79,703-
State Revenue Fund	2,100	0	0	0	0	0	0
Federal Revenue Fund	1,742,299	2,005,679	1,925,976	79,703	2,005,679	1,925,976	79,703
Total Funds	\$1,959,598	\$2,141,176	\$2,141,176	\$0	\$2,141,176	\$2,141,176	\$0

CURRENT LEVEL DIFFERENCES

Grants	-----Exec over (Under) FY 92	LFA----- FY 93
1. No Differences in Expenditures	\$0	\$0
Funding		
1. General Fund - LFA maintained general fund at FY 91 appropriated level		(\$79,703)
2. Federal ADMS Block Grant - LFA used original Agency request - Exec. used updated request but did not increase grants	\$57,789	\$57,789
3. Federal Community Youth Act - LFA used orig. Agency request-Exec. used updated request but did not increase grants	\$21,914	\$21,914

ISSUES

1. Committee Issues

---Executive Action----

HOUSE OF REPRESENTATIVES
VISITOR REGISTER

Institutions SUBCOMMITTEE DATE 2-6-91
DEPARTMENT(S) _____ DIVISION _____

PLEASE PRINT

PLEASE PRINT

NAME	REPRESENTING	
JANE EDWARDS	MONTANA STATE HOSPITAL	
Ron Balas	Center for the Aged	
John L. Hays	M.H.C. Billings	
Mike Ruppert	Boyd Andrews - Helena	
STUART KLEIN	M.H.C. HELENA	
Harold Leake	MHC BLS.	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.