

MINUTES

**MONTANA SENATE
52nd LEGISLATURE - REGULAR SESSION**

COMMITTEE ON FINANCE & CLAIMS

Call to Order: By Senator Judy Jacobson, Chairman, on March 5, 1991, at 8:00 a.m., Room 108.

ROLL CALL

Members Present:

Judy Jacobson, Chairman (D)
Greg Jergeson, Vice Chairman (D)
Gary Aklestad (R)
Thomas Beck (R)
Esther Bengtson (D)
Don Bianchi (D)
Gerry Devlin (R)
Harry Fritz (D)
H.W. Hammond (R)
Ethel Harding (R)
Bob Hockett (D)
Thomas Keating (R)
Dennis Nathe (R)
Lawrence Stimatz (D)
Larry Tveit (R)
Eleanor Vaughn (D)
Mignon Waterman (D)
Cecil Weeding (D)

Members Excused: Senator Manning

Staff Present: Teresa Olcott Cohea(LFA).

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

Announcements/Discussion: none

HEARING ON SENATE BILL 391

Presentation and Opening Statement by Sponsor:

Senator Tom Keating, Billings, Senate District 44, stated he was presenting this bill at the request of the Department of SRS, stating the bill deals with money spent for services and allowing the Department to develop rules for case management and in this case, targeted case management. He noted that any person eligible for medicaid is first reviewed by an eligibility technician to determine they qualify for medicaid by law and therefore are medicaid eligible, allowing them to receive medicaid benefits in various places depending on which services are medicaid approved. This bill will attempt to set up a case management program where the manager would review that person and what services would be appropriate to them and they would be directed to the appropriate services. At the present time the program is 100 percent state funded, but it will become a 30/70 federal match, with the federal government paying the larger portion of the program. The impact therefore on the general fund will be reduced with this program.

Proponents' Testimony:

Nancy Ellery, Administrator of the Medicaid Division of the Department of Social and Rehabilitation Services, stated her support of SB 391 and distributed information to the committee. (See Exhibits 1, 2)

Maxine Ferguson, Bureau Chief of Family/Maternal and Child Health, Department of Health and Environmental Sciences, stated her support of SB 391. (See Exhibit 3)

Gary Walsh, Department of Family Services, noted his support of SB 391. (See Exhibit 4)

Jerry Loendorf, representing the Montana Medical Association, stating his support noted that the medicaid program has increased in terms of cost and eligible persons. Because of that, incidences of abuse and opportunities to curb that abuse through managed care and case management become more important. He noted the bill is an experiment in an attempt to improve the medicare system.

Dan Anderson, Administrator of Mental Health Division, Department of Institutions, indicated his support of SB 391. (See Exhibit 5) He distributed to the committee a chart (See Exhibit 6), showing clients in the center of the graph, and around the outside of the chart showing the services needed by people with serious mental illness to live successfully in the community. He noted many of these people aren't able to access those services by themselves in that they aren't aware of the services or may be fearful in reaching out for the services. The function of case managers is essential in that they connect the clients with the services they need. Department of Institutions is spending a considerable amount of general funds on case management services for seriously mentally ill adults, and if there is medicaid funding for those services, the general funds could be used for match and more than double the number of case managers serving the mentally ill in the community.

Patrick Pope, 5 Memorial Drive, Helena, Montana, a consumer

of mental health services in Helena, testified his support of SB 391. He said after becoming involved with the mental health system in July 1988 when he was suffering from severe depression and was suicidal, his friend's attempt at help resulted in a visit from the police department. He related his experience at St. Peter's psychiatric unit and Warm Springs and how little therapy he received, while costing the state a considerable amount of money. He noted what the state got for their money was a consumer who learned if you are suicidal and admitted, you will be handcuffed and jailed. If suffering from depression, you will be locked in a unit at Warm Springs. He noted his failures throughout 1988 and 1989 and a suicide attempt in 1990. He related how crisis intervention and case management services were not then and still aren't readily available in Helena and most Montana communities. He stated how he was able to see a local private counselor who took care of his therapy, as well as case management services. He was able to receive services tailored to his needs in this area. He noted his approval of case management services and how he has progressed with therapy. He concluded that the team approach works and case management is the key to the coordination of it.

Kathy McGowan, representing the Montana Council of Mental Health Centers, stated they have worked closely with the Department of SRS and Institutions in putting together a good plan for case management for the mentally ill. She added the bill is vital to the people they serve.

Opponents' Testimony:

None

Questions From Committee Members:

Senator Harding questioned the fiscal note attached to the bill. Nancy Ellery noted the bill has several different components. Managed care component, because of start-up costs in the first year will reduce the overall savings in that first year of the biennium. Savings will be indicated in fiscal year 1993 because based on other states' experience, emergency room use is decreased, and states have seen up to a 10 percent savings in their primary case costs. In Montana, the medicaid primary care budget is 50 million dollars. She noted they were conservative in coming in with a savings of five percent savings for the last six months of the year. In a question from Senator Aklestad regarding expanding the programs over a two year period of time and that expansion costing seven million dollars over and above what there currently is of federal funds, Ms. Ellery noted the fiscal note is adding targeted case management as a service under the medicaid plan so there will be costs there in terms of federal and general funds; that is a new service to be added in the first year of the biennium in addition to the start-up costs for managed care. They will now be getting more federal dollars for services provided with general funds than in the past. She

stated Senator Aklestad was correct in that they will be spending four million dollars more in 1992 of federal funds than in the previous program and we are expanding all the programs under current level SRS by three million dollars in the first year of federal funds. Regarding the match of roughly 72 percent federal funds and 28 percent general funds, that will be the same. As new services are opened up, there will be the enhanced federal match that previously there was only a 50/50 match. Ms. Ellery said regarding the general fund for targeted case management, it is located in the other department budgets. Family Services will administer targeted case management for the DD population with their general fund included in their budget. SRS just has the federal funds for that service in their budget. The general funds in the other program, for the chronically mentally ill adults, the general fund in FY 1992 which is located in the Department of Institutions budget is \$1,064,624, and FY 1993 is \$1,074,664; that will be used to generate the federal dollars that are included in SRS budget. For the developmentally disabled population, in FY 1992 there is \$1,584,261, and FY 1993, it is \$1,599,129. These have been approved by the subcommittee for those departments. Senator Keating noted that the mods in the budget are not necessarily in addition to the budgeted amount, but agreed they are in addition to the current levels but are part of the Governor's budget; this bill does not require additional money that has not been budgeted. Senator Devlin noted his concern that it is costing more general fund the second year. Mr. Anderson of the Institutions Department said in terms of general funds for case management for seriously mentally ill adults, in the neighborhood of \$750,000 is currently being spent per year, and it is their intent to take a portion of that, approximately \$400,000-\$500,000, and match it with the federal funds to expand case management services under medicaid without increasing the general fund appropriation of his department. When questioned by Senator Bengtson regarding negotiating with some of the providers and the state offering a package of services that are needed on a bid basis, Ms. Ellery said they have been working closely with the other departments to define the group of people they desire to serve under targeted case management, where those people will be and what kind of providers need to provide the case management to them. It may not necessarily be statewide. Case management can be paid for by medicaid for those people. She said it will be different for each targeted group because they all have different needs. She said they are expecting more providers to come forward and negotiate with the state because this will be a new service that has not been available under medicaid until the present time. Ms. Ellery concluded that a new fiscal note will be prepared.

Closing by Sponsor:

Senator Keating closed by noting there will be a new flow chart for all the money so current levels will be known and what is mod. He felt quite certain there is no new money generated by the passage of the bill.

HEARING ON HOUSE BILL 3Presentation and Opening Statement by Sponsor:

Representative Bardanouve said HB 3 is the biennial supplemental bill and noted he felt it is the largest he has ever seen. At that point, he went through HB 3 supplemental recommendations (See Exhibit 7).

Proponents' Testimony:

None

Opponents' Testimony:

None

Questions From Committee Members:

Senator Aklestad questioned how many supplementals there are because of legislation where a bill went through that enacted the proposal and then the appropriation bill did not follow or it got killed. Rep. Bardanouve said there weren't many and deferred to Ms. Cohea on the question. Ms. Cohea referred to Department of Justice, Highway Patrol-Prisoner per diem. Rep. Bardanouve said the cities and counties were complaining they weren't receiving proper reimbursement for highway patrol prisoners, so a bill was passed increasing that per diem, but additional money was not provided for additional cost of DUI cases where the Highway Patrol allows prisoners in county and city jails. When questioned by Senator Aklestad if that money was not provided because the appropriation bill failed, Rep. Bardanouve said the bill most likely passed late in the session and not providing enough money was not called to their attention; he did not think it was an appropriation bill itself. Regarding the \$605,589 OPI, transportation reimbursement from the general fund, Rep. Bardanouve said enough money was not appropriated. Ms. Cohea said three of the last four bienniums, there have been supplementals in this. Normally a set amount is appropriated by the legislature, about 6.25 million dollars, and if that amount is insufficient, they will come in with a supplemental.

In a question by Senator Hammond regarding the former water judge being supplemented by a pension, Rep. Bardanouve said the water judge would receive the same pay as the district judge. Judge Loble was receiving less in salary because he was receiving a pension. James Oppedahl of the Department of Justice said in regard to a question by Senator Hammond, the Senate bill dealt with was a retirement bill for the water judge. The amount now in question is the salary which by law is the amount of a district court judge. The former water judge was a retired district court judge and served at a reduced salary by the retirement he was receiving.

When questioned by Senator Nathe as to the portion of the bill that would become part of next year's base, Rep. Bardanouve said in most cases they all become part of the base because that is the operating budget. Senator Nathe said regarding the petroleum increases, regarding the raise in gas and fuel prices, with the price of crude oil coming back down, he questioned the projections for increased gas costs and wondered if the State of Montana pays gasoline taxes in the state vehicles to which Rep. Bardanouve said they did not. Senator Jacobson said there will be an amendment dealing with that because of the price of gasoline dropping.

Senator Bengtson questioned the wildfire suppression amount and stated the subcommittee addressed the actual costs. Rep. Bardanouve noted these are the actual costs. Mr. Kuchenbrod of the Department of State Lands said before this amendment was made, all fire costs were supported by the general fund, and they received from the federal government about \$700,000 coming back to Montana; that money would go into the general fund with the exception that \$100,000 was set aside for some pick-up costs that was appropriated through the subcommittee. This \$600,000 in this bill has two major concerns for their department; one of them being the timeliness of the money going to their department. If the money is not received until June 30th, they would have to go to the general fund for a loan until they receive the federal dollars. The other concern is the accuracy of the money they receive. In January they felt they would get \$717,000 which then dropped to \$707,000, and they were today informed by the forestry division it would be \$698,000. Any amount dropping below \$600,000 will have to have picked up by the Department because there will not be sufficient federal dollars in that federal account to pay for those bills. Senator Beck questioned if this is a base budget, and Rep. Bardanouve said there are several factors dealt with because of the number of fires fought; it is an after the fact appropriation.

Senator Jergeson questioned the supplemental for the Department of Highways and indicated he felt their cash flow management is by the shovel method in shoveling the money out as fast as possible. He asked if they were asking for an additional 20 million dollars in increases over the legislative appropriation. Rep. Bardanouve said they may have more plans to build than what was projected. John Rothwell of the Highway Department said the major portion of the supplemental is because of the additional federal funds that they got. Programs are scheduled, a three year scheduling process on highway contracts. On this particular issue, they were ahead of themselves prior to September in letting bids. He noted when he came to his present job, he canceled some bids because they were getting over their budget authority. They have what they call federal grab bag funds of which there is no way of scheduling those. If there are unused federal highway funds turned back by other states, they are then reallocated to various states. They have been a recipient of approximately 5 million dollars; however, state

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matching funds are needed for any extra they receive, and that is the majority of the reason for the supplementals, to utilize those federal funds. He said it is roughly 80 percent federal funds, 20 percent state funds. He said if they choose not to match the federal funds, those funds can be turned back. When questioned by Senator Jergeson what would happen if this supplemental was not approved, Mr. Rothwell said there would be no further contracts let until July. He added there was a bid opening that was opened the last Thursday but it has not been awarded yet. Bids were opened after they got the House approval, but they have not awarded the contracts because they do not have the budget authority without the supplemental to let those contracts. Senator Jacobson asked Mr. Rothwell when they intend to do that. She added she wanted to let the committee know that normally the supplemental bill would wait until close to the end of the session, but for a variety of reasons the committee has been asked to push this through this week in order for the Highway Department to go forth with their bid letting process. She stated she would like to have the committee know why this matter is being taken care of far more quickly than normal with the supplemental bill. Mr. Rothwell indicated that the leadership of the House and the Senate said they wanted to carry on with the bid openings but those contracts have to be awarded. He concluded they need the supplemental bill through the Senate by the end of this week. Rep. Bardanouve said the budget office asked him about two weeks ago to bring this in as quickly as possible. The House scheduled the hearing as quickly as rules would permit, and it was passed out of the House so the Highway Department would have more appropriations.

Senator Harding said she was aware of a projected highway plan of the highways in the state, and she wondered where the supplemental fell in with this plan. Mr. Rothwell said the plan has been pulled up slightly. He added that one of the major concerns is getting the projects underway because if they waited until after July, virtually half of the construction season is lost in Montana. He noted these are not extra jobs; they are moving the program forward. In the next biennium unless the federal government comes in with other excess funds, this will not increase the overall program; they are simply starting it a little earlier and spreading it out.

Senator Jacobson asked Mr. Sundsted if he felt comfortable and would be agreeable with the Governor that the committee should pass the supplemental at this time to accommodate the problems of the Highway Department. Mr. Sundsted said he would appreciate the committee acting on the supplemental bill. Senator Jergeson questioned Mr. Sundsted regarding the Highway Department Reconstruction Trust Fund. He asked if they agreed that they have been spending down the fund balance and that if the current trend continues, the balance in the Reconstruction Trust Fund at the end of the next biennium would be somewhat less than 31 million dollars or even less than 20 million dollars from where it was started out at 129 million dollars. He questioned

how that problem would be dealt with. Mr. Sundsted said although he wasn't sure he was the best person to answer that question, he could say that the fund balance is declining, and he thinks there will be a sufficient balance there through the next biennium in the program they have proposed. He feels clearly they can't continue at the same level of construction of the RTF that they have under the current scenario beyond possibly '94 or '95, and that will be addressed during the next budget process, however they feel they will be fine through 1993.

Rep. Bardanouve said the '93 session has a major situation to face and they will have to refinance the Highway Department program or they will have to have a serious downsize in their program. Another problem regarding the federal government is if the larger cities have their way, we might get a lot less.

Sen. Hockett said in the long range planning, there were figures showing there would be a negative balance in '93, and the only way to balance this would be either a tax increase or a major downsizing. Rep. Bardanouve said he thought the LFA's figures were more conservative than those of the Highway Department. Mr. Rothwell said they will get through '93 and into '94. He added the LFA's figures are more conservative than those of the Highway Department but they feel they will be able to manage the system through '94. He said in September the federal government will make a determination on reauthorization of the Highway Act and then they will have real numbers to look; at this time it is speculation on what will happen. He feels there will be a new phase or new program to finish up the jobs in progress. By the 1993 legislative session, they will know where they were at, and they will probably have choices to make, either find new highway funding or downsize the program.

Ms. Cohea indicated to the committee that going into the current biennium the cash balance in the Highway account was 146 million dollars. Based on subcommittee action to date, by the end of the '93 biennium the cash balance would be 29.6 million dollars so there would be a spending down of over 110 million dollars during the two bienniums. This is before the pay plan for the Highway Department so if that is approved, it would further reduce the balance. She noted that while the LFA estimates for revenue are slightly more pessimistic than the Highway Department, that is only about 10 million of the total here.

Senator Aklestad questioned how many major contractors are bidding for the contracts at this time compared to five years ago. Mr. Rothwell said although he could not give a total number, the previous Thursday's bid letting was well received, in the neighborhood of 100 bidders, and the bids were about one million dollars under their estimates. He noted there has not been any lack of competition. He said most of the work at the present time is reconstruction. There isn't the big major interstate building that there was before. He said even though

he felt the number of contractors has probably dropped somewhat, the drop has been made up basically of contractors that bid the work that is not being done anymore. Senator Aklestad noted there was a concern in the previous session that since there are so many contractors going broke, money might be put in faster than what the actual construction could be during Montana's climatic conditions and the decline in contractors; and the contractors bidding knew they had a captive market. Mr. Rothwell said there was concern about the fuel prices but they did not in fact see that occur as the bids were below their estimates, and they did not raise their estimates over what was normally done. He concluded there is a lot of competition in the system.

Closing by Sponsor:

Representative Bardanouve closed.

HEARING ON SENATE BILL 370

Presentation and Opening Statement by Sponsor:

Senator Waterman, District 22, sponsor, said she is introducing this bill at the request of the Department of Justice. She said the acronym DARE stands for Drug Abuse Resistance Education, which is a program highly effective in the state for a couple years in drug education and drug abuse prevention among young children. She noted the only item in the bill that may be controversial is the method of funding in the future, and that is through a check-off program on income tax. She said there has been a lot of buy-in on the part of civic groups, school districts, local businesses, community groups and parents. She feels this program would be supported through a check-off program. She said there is money available at the federal level at the present time; about half a million dollars has come into this program, although she recognizes that money will not continue and other funds will need to be available. She felt there is support at the local level to pick up a portion of this funding, but grants are needed to encourage communities to start and continue programs. She noted she has a couple of technical amendments to the bill dealing with the enactment of the program and she asked when the bill is considered that the amendments be considered as well. She concluded that the program is very worthwhile.

Proponents' Testimony:

Fred Fisher, Drug Prevention and Education Coordinator, Department of Justice, distributed material on the DARE program. (See Exhibit 8) He stated during the past two years, creative partnerships between law enforcement, communities and schools have been formed to provide public support for this program, both financial and otherwise. He said the financial needs of the

program are many. Law enforcement agencies throughout the state are trying to deal with the problem of how to incorporate the program into their budgets, and they are making a strong commitment to the program. Schools, parent teacher organizations and civic groups are encouraging their members to get involved with DARE. He noted that SB 370 was developed to provide an additional resource for the DARE program. It needs a stable and consistent funding source, and he indicated this bill will provide the stable resource for the programs. He said many of the state programs are operating on budgets of less than \$10,000. He noted they are aware they will be competing locally with scarce financial resources with other valuable and critical social programs. He feels the income tax check-off will help ameliorate the funding problems and will help the expansion of the program. He concluded that SB 370 will provide Montanans with the opportunity to voluntarily make contributions to the program to ensure that the programs keep on giving to the children of the state.

Darryl Bruno, administrator of the Alcohol and Drug Abuse Division, Department of Institutions, stated his support of SB 370. (See Exhibit 9)

Mark Brown, president of Montana DARE Officers Association, stating his support of the program indicated the need for assistance in supporting the programs that are currently in place and those wanting to start a program in their areas. He noted drugs being imported is a serious problem in the country. He noted the DARE program has been called a "magical relationship" with the children, and he noted his strong feelings about the program and its presentation to the children of the community.

Edwin Hall, Administrator, Montana Board of Crime Control, stated his support of the bill. He said the program is from the Board's perspective, the single sharpest sword in the war against drugs, the patriot missile we are using in the war against drugs. He concluded that the war on drugs cannot be won on the supply side. It can be won on the demand side by cutting the demand for drugs, and DARE is one of the single best programs they have found in the state to cut the demand for drugs.

Colleen McCarthy, Helena, a volunteer in areas of crime prevention and also the wife of a DARE officer, stating her support as a member of the community and as a mother, noted she has never seen a program that is so effective in the communities, that the children have such an ownership in, and the children believe what is being taught in the program. She noted much of the curriculum is built on self-esteem and how to manage stress and resist peer pressure, and is being taught very effectively. She concluded that DARE won't stop all problems but feels it is our greatest asset right now.

Chuck O'Reilly, sheriff of Lewis and Clark County, in stating his support of the program stated the total enthusiasm

for the success of the program. Regarding the income tax check-off, he indicated his support saying the public is given the right and privilege to be able to participate in what they support.

Opponents' Testimony:

Bob Turner, Income and Miscellaneous Tax Division, Department of Revenue, stated the Department is not opposing the DARE program and feels it is a worthwhile cause, but their opposition is to the method of funding through the income tax check-off. (See Exhibits 10, 11). He referred to an amendment allowing for 1991 tax returns. (See Exhibit 12).

Questions From Committee Members:

Senator Nathe questioned the use of funding the program from money received from property seizure from crimes. Mr. O'Reilly said there are bills in this legislative session dealing with this. In Lewis and Clark County, any money received from seizure can be utilized for any law enforcement purpose according to priorities within the agency. They are able to do that now and therefore the provision wouldn't have to be amended into the bill. Senator Hammond questioned the number of programs. Mr. Ed Hall said the Board of Crime Control is funding about 14 programs through the drug free schools and communities act, and seven or more are being funded out of another federal source, so there are about 21 programs that are funded. When questioned about the start-up date in Montana, Mr. Hall said the program was started in late 1987. Senator Jergeson questioned the use of the check-off and asked if there would be any objection to putting a sunset on that check-off if the number of annual returns did not exceed a certain base number. Senator Waterman said it could possibly be tied to the number of contributions, rather than number of returns. Senator Jergeson noted his concern if the public will respond by putting money into it.

Senator Beck questioned Jeff Miller, Administrator of Income and Miscellaneous Tax Division, regarding the figure of \$22,000 to redo the forms. He said it would be system programming costs, which would be a one time cost. The ongoing cost would be in the range of \$2,300 a year. Senator Beck stated his feelings that there is not enough money to get the statewide program going. Regarding questions on the matching funds, Mr. Hall said the drug free schools money is 100 percent and no match required. The state gets about \$476,000 for DARE. Mr. Miller said the ongoing costs are \$2,970 to store the information on disk to be able to extract it as well as enter it per year, which does not include costs of his staff; that figure is per check-off. Mr. Miller said they have to set aside a field on their memory system to record and process that information. He concluded these costs far exceed what they anticipate will be brought in from the check-off in the first year. If other changes might be programmed into the system, it could be a little cheaper. He

noted they currently do not receive anything from the check-offs in administrative costs. Regarding the fiscal note, Senator Keating said if you consider the general fund balance is a positive factor of \$100,000 and you take \$22,000 away from the balance, you would have a positive balance of \$78,000.

Senator Aklestad further questioned the funding of the program, and Senator Waterman indicated there will need to be grant programs to give the incentive for startup in the local communities.

Closing by Sponsor:

Senator Waterman closed by stating her feeling that the DARE program is getting to the children before they have problems, but indicated the source of funding must be decided. She concluded that if the check-off program isn't agreed to, it could be included in the general fund or in other sources.

HEARING ON SENATE BILL 112

Presentation and Opening Statement by Sponsor:

Senator John Harp, sponsor, said he introduced this bill at the request of the Board of Realty Regulation. He noted the bill was originally in the Business and Industry Committee but was given to Finance and Claims because of the addition of one FTE. The Department of Commerce can hire an executive secretary to carry out duties prescribed to the Board pursuant to Board responsibilities and duties established by law. He indicated the fiscal note indicates that person would be a grade 16 and the monies would come from an earmarked account from the industry itself.

Proponents' Testimony:

Marsha Allen, member of the Board of Realty Regulation, also a licensed real estate broker in Helena, stated her support of SB 112. (Refer to Exhibit 13)

Opponents' Testimony:

None

Questions From Committee Members:

Senator Nathe questioned if the Board of Realty was going back into testing again. Grace Berger of the Board of Realty said the Board in 1979 went through a sunset review, and the testing they are involved in now is time share testing, which requires sales people of time share developments to attain either a broker or sales license. It is limited to a license for time share only. Senator Devlin questioned the fiscal note in that

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the ending fund balance would start decreasing quite rapidly. Ms. Berger said the projected total revenues are \$533,000. She noted her fiscal note indicated that projected fee income revenues are \$272,000. Senator Jacobson indicated there were a couple of questions regarding the fiscal note, and she wondered if they intend to increase board fees to cover this or use existing revenue for ongoing expenses. Ms. Berger said the Board does not intend at the current time to increase revenues. Under the current umbrella agency, Professional and Occupational Licensing, they had budgeted for '90-'91, two and one-half FTE's assigned to the Board and that they had estimated revenues and fixed fees accordingly. In the next biennium, some of those positions have shifted out of the Board's budget; they have shifted to the pool budget, so that leaves the Board with projected revenues to cover those positions, and those positions are no longer attached to the Board. They are not projecting an increase in fees. When questioned by Senator Jacobson regarding the real estate recovery fund, Ms. Berger said that would be part of the funding. The recovery fund would pick up part of the ongoing funds for this position as a continuing education provider to the licensees. When questioned if the LFA saw a problem with that, Jim Haubein said the trust fund was established as a contingency and when there is over \$100,000, they can transfer that over and use it for continuing education. He questioned how long the excess monies would be there. Ms. Berger said it is hard for the Board or the Department to determine what is going to happen down the road. She said she assumes all fees for all licensing boards will have to be raised at some time. She said the charge is a one-time charge licensees pay into. When questioned by Senator Jacobson regarding the targeting of the money, Ms. Berger said it could change in the future. She said in response to Senator Nathe that the only testing they will be doing is in time sharing and the other realty examinations will continue like they have since 1979. Regarding the source of funds into the trust fund, Ms. Berger said all entry level licensees pay a one time \$35 charge. In the event annual fees don't meet expenditures they can use from that trust fund for educational programs and only in excess of \$100,000 in the trust fund. Regarding a question from Senator Jergeson regarding other boards that have executive secretaries, Ms. Berger said there are three in the Department, but the Board of Horse Racing is not under their umbrella agency, and they also have an executive secretary. The other boards with executive secretaries are Boards of Medical Examiners, Nursing and Pharmacy. In questioning from Senator Keating as to whether the trust fund is invested and earning interest, Ms. Berger said it is and the interest is placed in the trust fund account. Senator Hockett asked if they are adding additional persons to support the secretary. Ms. Berger indicated they are not proposing additional staff. Regarding a question from Senator Harding regarding time share agents, he asked if they are licensed realtors; Ms. Berger said they are not required to be licensed.

In questioning from Senator Keating regarding time shares, Ms. Berger said time share is buying a specific time in a specific unit, as in resort areas.

Marsha Allen said she is the volunteer board member serving with the part time staff at the present time and they are overwhelmed by too much work.

Closing by Sponsor:

Senator Harp closed.

EXECUTIVE ACTION ON SENATE BILL 112

Motion:

Senator Nathe moved that Senate Bill 112 DO PASS.

Discussion:

None

Amendments, Discussion, and Votes:

None

Recommendation and Vote:

Motion on SB DO PASS carried. Senator Jergeson casted a dissenting vote.

EXECUTIVE ACTION ON HOUSE BILL 3

Motion:

Senator Stimatz moved that HOUSE BILL 3 BE CONCURRED IN.

Discussion:

Senator Jacobson said there is one amendment regarding gasoline prices. Senator Jergeson added he was under the impression the cost of gasoline had gone down since the House passed the supplemental bill and those supplemental requests can be reduced.

Amendments, Discussion, and Votes:

Senator Jergeson moved that the bill be amended on page 2, line 18, Highway Patrol, that the number be reduced from \$217,100 to \$127,282. On page 3, line 13, the \$735,059 be reduced to

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\$519,411. Line 14, \$1,313,673 be reduced to \$1,057,820.

Clayton Schenck from the LFA's office said these figures were based on about two weeks ago and the price of gas has now gone down. Ms. Cohea said there was a budget amendment received in November to pay for increased prices through March, and this is to deal with the period henceforth, until the end of the fiscal year.

Motion by Senator Jergeson to amend HOUSE BILL 3 passed unanimously.

Recommendation and Vote:

Senator Stimatz moved that HOUSE BILL 3 AS AMENDED BE CONCURRED IN.

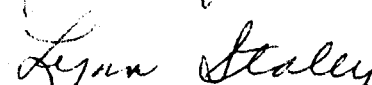
Senator Jergeson felt by the committee passing this bill this rapidly, we will have problems with this in the next legislative session. Senator Jacobson noted we have to keep in mind that some rules of the federal government are changing, and our matching dollars might not have to be as high as they will in the future, so we should probably deal with what we can while we have them coming in.

Motion by Senator Stimatz that HOUSE BILL 3 AS AMENDED BE CONCURRED IN passed, with Senators Aklestad, Devlin and Hammond opposed.

ADJOURNMENT

Adjournment At: 11:40 a.m.


JUDY JACOBSON, Chairman


LYNN STALEY, Secretary

JJ/lis

FC030591.SM1

ROLL CALL

FINANCE & CLAIMS COMMITTEE

DATE 3/5/91

LEGISLATIVE SESSION

NAME	PRESENT	ABSENT	EXCUSED
SENATOR JACOBSON CHAIRMAN	P		
SENATOR JERGESON, VICE CHAIRMAN	P		
SENATOR AKLESTAD	P		
SENATOR BECK	P		
SENATOR BENGTSO	P		
SENATOR BIANCHI	P		
SENATOR DEVLIN	P		
SENATOR FRITZ	P		
SENATOR HAMMOND	P		
SENATOR HARDING	P		
SENATOR HOCKETT	P		
SENATOR KEATING	P		
SENATOR MANNING			E
SENATOR NATHE	P		
SENATOR STIMATZ	P		

Each day attach to minutes.

ROLL CALL

FINANCE & CLAIMS COMMITTEE, CONTINUED

DATE _____

LEGISLATIVE SESSION

NAME	PRESENT	ABSENT	EXCUSED
SENATOR TVEIT	P		
SENATOR VAUGHN	P		
SENATOR WATERMAN	P		
SENATOR WEEDING	P		

Each day attach to minutes.

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 6, 1991

MR. PRESIDENT:

We, your committee on Finance and Claims having had under consideration House Bill No. 3 (third reading copy -- blue), respectfully report that House Bill No. 3 be amended and as so amended be concurred in:

1. Page 2, line 18.

Following: "1991"

Strike: "217,100"

Insert: "127,282"

2. Page 3, line 17.

Following: "1991"

Strike: "735,059"

Insert: "519,411"

3. Page 3, line 18.

Following: "1991"

Strike: "1,313,673"

Insert: "1,057,820"

4. Page 7, line 22.

Strike: "27,012,443"

Insert: "26,666,772"

5. Page 8, line 2.

Strike: "953,860"

Insert: "738,212"

6. Page 8, line 4.

Strike: "\$87,040,241"

Insert: "\$86,478,922"

Signed: Judy H. Jacobson

Judy H. Jacobson, Chairman

LB 3/6/91
Amd. Cobrd.

SR 1/6 11:25
Sec. of Senate

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 5, 1991

MR. PRESIDENT:

We, your committee on Finance and Claims having had under consideration Senate Bill No. 112 (second reading copy -- yellow), respectfully report that Senate Bill No. 112 do pass.

Signed: Judy H. Jacobson
Judy H. Jacobson, Chairman

3-5-91
Amd. Coord.

Sec. of Senate

471238SC.Sj1

TESTIMONY OF THE DEPARTMENT OF SRS
BEFORE THE SENATE FINANCE AND CLAIMS COMMITTEE
(RE: SB 391 Authorize Managed Care Systems
for the Medicaid and State Medical Programs)

Madam Chairman, members of the committee, my name is Nancy Ellery and I'm the Administrator of the Medicaid Division of the Department of Social and Rehabilitation Services. I appreciate the opportunity to appear before you today to discuss SB 391 which would authorize the Department to develop managed care systems in Montana's Medicaid and State Medical program and add targeted case management as an optional Medicaid service.

Managed care is a term heard more and more often these days, and it can mean a lot of different things. The broad definition is that managed care is the coordination and oversight of health care delivery. The goal is to reduce costs by decreasing the unnecessary or inappropriate use of medical services.

The managed care model we plan to use in the State Medical Program is the certification model. SRS plans to contract with an outside health care organization to certify services as medically necessary before the state will pay for them. This managed care contract will be similar to the one now in place for state employees. We expect 30% savings in inpatient hospital costs based on experience in the public and private sector. Under the current State Medical Program, a client gets a monthly letter of authorization which they can use to get any services covered by the program. Under this type of system there is potential for abuse.

For example, one person got 196 prescriptions in a one year period. These prescriptions were for drugs such as sleeping pills, muscle relaxants, and pain killers, all prime candidates for addiction and abuse. These prescriptions cost the program \$1,710. Another person visited the outpatient department of the hospital 61 times in three months for backaches. These visits cost the program \$1,422. Another person not only used the emergency room to avoid asking his doctor for prescription drugs, he used the ambulance to get there. Under a managed care system the State will only pay for services determined to be medically necessary but no one who needs services will be denied.

The method of managed care we plan to use in the Medicaid Program is called primary care case management.

The Primary Care Case Management Model

In the primary care case management model, states enroll primary care providers who agree to act as case managers. The provider must agree to provide or authorize all the health needs of enrolled clients and provide 24 hour a day, 7 days a week service. The physician provides education to clients on how best to use the system. A nominal case management fee of \$2 - \$3 a month for every client enrolled will be paid to participating providers.

Because managed care recognizes the importance of the physician in establishing a care plan and limit client behavior physicians find difficult, it is attractive to physicians and provides an on-going

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 1

DATE 3-5-91

SB 391

doctor/client relationship or "medical home".

Once a person becomes eligible for Medicaid, they will get a list of the participating primary care providers in their area. The client chooses one of the participating providers and from then on must get all care or referrals for care from that provider. Referrals to other physicians must be authorized by the primary care physician in order to be paid. The only exception would be emergencies.

The state must apply for a waiver from the federal government to limit a client's choice of providers and demonstrate cost savings. It is anticipated that the waiver will take approximately one year to get approved. After the waiver is approved, SRS will implement a managed care program on a phase-in basis for AFDC recipients statewide.

Primary care case management benefits everyone involved in Medicaid: providers, clients and the State of Montana.

Providers benefit because they can monitor patient care by improving the coordination and continuity of that care. It eliminates "shopping around," and over-use of medications where Medicaid clients go from doctor to doctor or pharmacy to pharmacy for the same medical problem.

Clients benefit because they have much better access to care. Right now, clients can see whoever they wish, as long as that provider accepts Medicaid and is willing to see them. The hitch can be finding a provider who accepts Medicaid. Under managed care, clients will know exactly who to see and their physician will see them.

Finally, the state benefits because of significant cost savings. The savings are usually due to reduced use of hospitals, including emergency rooms. Thirty other states have implemented some version of managed care in their Medicaid programs. Cost savings for Montana were based on actual experience in these states which shows 10% annual savings in AFDC primary care costs. This amounts to an estimated \$2 million total savings for the last 6 months in FY 93. The fiscal note includes one FTE to develop and implement the managed care program in Medicaid.

Other states experience have shown that managed care not only saves money, but is also improves the quality of and access to care for Medicaid recipients.

Targeted Case Management

The other part of SB 391 would add targeted case management as a Medicaid covered service. Forty-one states have already included this service in their Medicaid state plan.

The federal Medicaid statute defines targeted case management as "services to assist individuals in gaining access to needed medical, social, education, and other services". Case management services can include client assessment, education and care planning.

This federal definition gives states much flexibility as to what services

they can offer as case management. It allows the state to target case management services to specific populations, providers, and to specific areas of the state. This is not true of other Medicaid services which require you to provide the same services to all Medicaid eligibles on a statewide basis.

The Department of SRS has been working with the Departments of Family Services, Institutions, and Health to provide Medicaid reimbursement for case management services to the following target groups:

- High-risk pregnant women
- Chronically mentally ill adults
- Developmentally disabled adults
- Seriously and emotionally disturbed children

The Departments are working together to define the population to be served, the geographic area, the payment methodology, and the qualifications of case management providers.

Case management providers are most often individuals who have experience with the targeted population. The case managers can be Department staff or local agencies on contract to SRS. Providers are most often registered nurses or social workers.

Funds to provide the state match for services to pregnant women, chronically mentally ill adults, and developmentally disabled have been identified in the appropriate Department's budget request.

To the extent that these services are currently provided with 100% state dollars, increase in federal funds from Medicaid will allow more people to be served.

Managed care can provide better quality and greater continuity of care, which in the long run will change how clients use the system and will therefore reduce costs.

Senator Keating's bill gives SRS the authority to go ahead with managed care and targeted case management and make Montana a more prudent purchaser of health care. I urge the committee to support it.

Submitted by: Michael B. Billings for
Julia E. Robinson, Director
Department of Social & Rehabilitation Services

Tstimny.2

SB 391

FACTSHEET ON MANAGED CARE IN MEDICAID

THE CONCEPT

Managed care is the coordination and oversight of health care delivery through case management by primary care physicians.

In states such as Montana without managed care, Medicaid recipients can go to any participating provider they wish, regardless of whether the care is necessary. Recipients often use emergency rooms or specialists inappropriately.

In a managed care system, the Medicaid program enrolls physicians who agree to act as case managers. Recipients choose a primary care provider, and then must receive all care or referrals for care from that provider.

BENEFITS

- TO PROVIDERS: --Eliminates "shopping around," in which patients seek treatment from more than one physician for the same medical problem
 --Allows physician to monitor patient care
 --Improves coordination and continuity of care
 --Decreases unnecessary use of medical specialists
- TO RECIPIENTS: --Improves access to care by ensuring they know there is a physician who will see them
- TO MEDICAID: --Cost savings, primarily due to drop in use of unnecessary hospital services, especially emergency room use

OBLIGATIONS

- FOR PROVIDERS: --Agree to arrange for 24 hour coverage
 --Be a primary care physician
 --Provide or authorize referrals for all care for Medicaid recipients enrolled with them
 --Be enrolled as a Medicaid provider
- FOR RECIPIENTS: --Choose primary care physician
 --Make and keep appointments with that physician
 --Get authorization from primary care physician before going to any other provider
 --Always bring their Medicaid card to appointments
- FOR MEDICAID: --Inform recipients of program
 --Enroll recipients on behalf of providers

Managed Care in Other States

Thirty states have implemented some version of managed care in their Medicaid programs. Managed care has succeeded in improving the quality of and access to care for Medicaid recipients, as well as containing costs in the Medicaid program.

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 2

DATE 3-5-91

SB 391

WITNESS STATEMENT

To be completed by a person testifying or a person who wants
their testimony entered into the record.

Dated this 5 day of March, 1991.

Name: Madeira Ferguson

Address: Dept. of Health - Cogswell Bldg.
Helena

Telephone Number: 444-4743

Representing whom?

YES

Appearing on which proposal?

5B391

Do you: Support?_____ Amend?_____ Oppose?_____

Comments:

This image shows a single page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page, leaving small margins at the top and bottom. There is no handwriting or printed text on the page.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

TESTIMONY REGARDING SB 391

Senator Jacobson and members of the Committee, I am Maxine Ferguson, Bureau Chief of Family/Maternal and Child Health, Department of Health and Environmental Sciences. I am here to provide information about how targeted case management would be utilized within the MIAMI project.

Public health nursing incorporates case finding and case management in providing care to individuals, families and communities. Within the MIAMI project, the seven community-based low birth weight prevention projects (LBWP) have used a "care coordination" model, developed by the project coordinators in conjunction with our staff.

I would like to present two examples which emphasize how this approach can maximize state dollars using targeted case management.

- A 28-year old woman, pregnant with her fourth child, was referred to a LBWP project. She was at high risk of delivering a pre-term, low birth weight twins. She had a history of two previous low birthweight babies and other risks which included high blood pressure, a heart condition, obesity, low socio-economic status, and a husband who was unemployed and not involved in care of the children. She was a high school graduate and did not want to be pregnant at this time.

Care coordination was provided by the public health nurse, whose salary was paid by the LBWP project. Under targeted case management, a portion of the nurse's salary would have been reimbursed by Medicaid, freeing up state dollars for other high risk pregnant women who do not qualify for Medicaid. With appropriate education, referral to community resources and prenatal care, this young woman delivered healthy, nearly full-term twins who were of good birth weight. Neither baby required intensive care treatment, saving over \$200,000 based on the costs of her other pregnancies.

- The second young woman came into a local LBWP project in her seventh month of pregnancy. She was visually impaired and had been raped. The pregnancy was a result of the rape. She had not received counseling following the rape and was dealing with this trauma, as well as the impending birth of a child she did not want. She had received no prenatal care at the time she accessed the LBWP project.

The LBWP nurse and social worker provided care for this young woman, referring her to community resources for rape counseling, medical care and other services during her pregnancy. She had a healthy baby which she relinquished for adoption. The costs of services of the public health nurse and social worker in planning and locating additional resources for this young woman would have qualified to be reimbursed by targeted case management funds, again freeing up other dollars for high risk pregnant women who lacked insurance coverage and did not qualify for Medicaid.

Targeted case management will expand and extend services and dollars by matching federal funds to state funds that are already being used. I will be happy to answer any questions or provide further information. Thank you.

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 3

DATE 3-5-91

BILL NO. SB 391

March 5, 1991

Testimony in Support of SB 391
An Act to Provide Increased Management of the Cost and
Delivery of Medical Services Under the
Medicaid and General Relief Medical Assistance Programs

Submitted by
Department of Family Services

The Department of Family Services supports the authorization of case management under the Medicaid program. The Department currently provides case management to individuals with developmental disabilities. Social workers assigned as case managers for people with developmental disabilities are responsible for ensuring that their clients' needs are met according to a written Individual Habilitation Plan (IHP). This may include placement and substitute care services; coordination of information and referral; and access to and delivery of health, personal care, skill building and other appropriate services.

The authorization of case management under the Medicaid program will allow for a higher match rate from Medicaid for this service. The Department's current agreement with the Medicaid Division of SRS for Medicaid reimbursement for this service classifies this as an administrative activity, matched at a 50/50 rate. This method of payment has been criticized by the Health Care Financing Administration (HCFA) as not sufficiently accountable. HCFA has strongly urged Montana to implement targeted case management under the Medicaid state plan. The Medicaid match rate under targeted case management is approximately 70% federal and 30% general fund.

The benefits to funding case management for people with developmental disabilities under the higher Medicaid match rate are:

- The higher match rate will increase the federal dollars available to fund case management for people with developmental disabilities.
- The increased federal dollars will be used to contract for additional case management services. This will result in lower caseloads for staff currently providing case management services.

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 4

DATE 3-5-91

BILL NO. SB391

- The recipients of case management will receive more intensive services than are available under the current staffing level. Clients will have service plans tailored to meet their unique needs, receive assistance to access needed services and be assured that the services are provided in accordance with their plans

For these reasons, the Department of Family Services believes the passage of SB 391 will result in enhanced case management for people with developmental disabilities.

SENATE BILL 391

TESTIMONY BY DAN ANDERSON

TO SENATE FINANCE AND CLAIMS
COMMITTEE

MARCH 5, 1991

MY NAME IS DAN ANDERSON. I AM
ADMINISTRATOR OF THE MENTAL
HEALTH DIVISION OF THE
DEPARTMENT OF INSTITUTIONS.

THE DEPARTMENT OF INSTITUTIONS
STRONGLY SUPPORTS SB 391 AND, IN
PARTICULAR, STRONGLY SUPPORTS
THE ADOPTION OF CASE
MANAGEMENT SERVICES AS PART OF
THE MEDICAID PROGRAM.

THE BEST WAY TO COMMUNICATE TO
YOU THE IMPORTANCE OF CASE
MANAGEMENT FOR PEOPLE WHO HAVE
SEVERE AND DISABLING MENTAL
ILLNESS IS WITH A PICTURE.

THIS DIAGRAM SHOWS CLIENTS IN
THE CENTER SURROUNDED BY ALL
OF THE VARIOUS SERVICES PEOPLE
WITH SEVERE MENTAL ILLNESS NEED
TO LIVE SUCCESSFULLY IN THE
COMMUNITY. THESE SERVICES,
TAKEN TOGETHER, ARE REFERRED TO
AS A "COMMUNITY SUPPORT
SYSTEM".

PEOPLE WITH MENTAL ILLNESSES
AREN'T ALWAYS ABLE, BY
THEMSELVES, TO TAKE ADVANTAGE
OF THESE SERVICES. THEY MAY
NOT KNOW ABOUT THEM, OR KNOW
THEY NEED THEM, OR THEIR
THINKING MAY BE CONFUSED OR
THEY MAY BE FEARFUL.

CASE MANAGERS PLAY THE
ABSOLUTE ESSENTIAL ROLE OF
HELPING CONNECT THESE CLIENTS
WITH THE SERVICES THEY NEED.
CASE MANAGERS MAKE CONSUMERS
AWARE OF THE SERVICES, MAKE
ARRANGEMENTS TO RECEIVE THE

SERVICES, AND ACT AS ADVOCATES FOR THE CONSUMER IF THERE ARE PROBLEMS GETTING THE SERVICES.

WITH SB 391, THE DEPARTMENT OF INSTITUTIONS WILL BE ABLE TO USE GENERAL FUNDS WHICH ARE ALREADY BEING SPENT ON CASE MANAGEMENT AS MEDICAID MATCH. BY DOING SO, WE ANTICIPATE BEING ABLE TO MORE THAN DOUBLE THE NUMBER OF CASE MANAGERS WHO ARE WORKING WITH SERIOUSLY MENTALLY ILL ADULTS.

PASSAGE OF SB 391 WILL ALLOW THE

DEPARTMENT TO GET THE MAXIMUM
AMOUNT OF NEEDED SERVICE FROM
GENERAL FUNDS NOW BEING
APPROPRIATED FOR COMMUNITY
MENTAL HEALTH SERVICES. MORE
IMPORTANTLY, THE LIVES OF A
LARGE NUMBER OF SERIOUSLY
MENTALLY ILL PEOPLE WILL BE
IMPROVED.

THANK YOU.

Senate Bill 391

**Comprehensive System of Services for Adults with
Severe and Disabling Mental Illness**

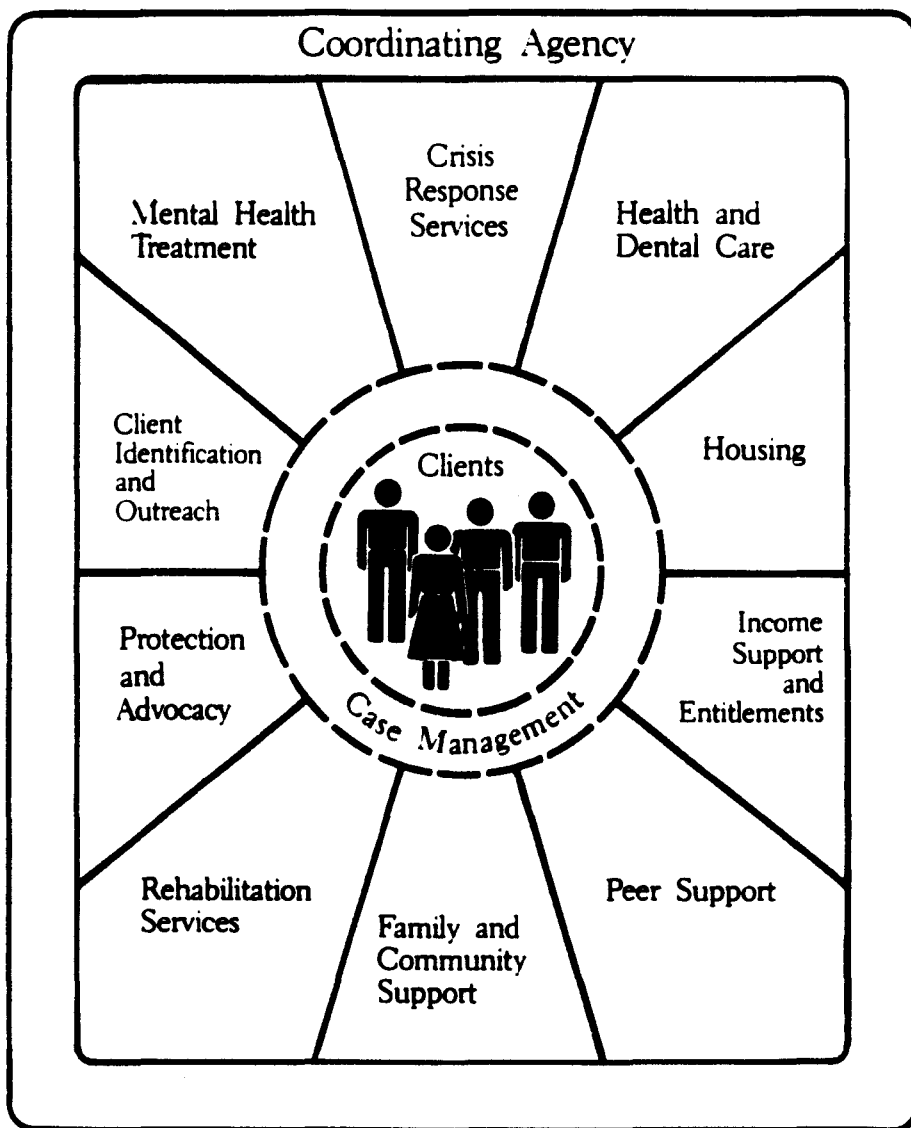


Exhibit 6

SB 39,

Dated this 5th day of MARCH, 1991.

Name: PATRICK POPE

Address: 5 MEMORIAL DR # 29
HELENA, MT 59601

Telephone Number: 443-2474

Representing whom?

Sulf

Appearing on which proposal?

SENATE BILL 391

Do you: Support? ✓ Amend? _____ Oppose? _____

Comments:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

HOUSE BILL 3
SUPPLEMENTAL RECOMMENDATIONS

Agency	General Fund		Total Funds	
	House Bill 3 (as introduced)	House Bill 3 (House Action)	House Bill 3 (as introduced)	House Bill 3 (House Action)
GENERAL GOVERNMENT & HIGHWAYS				
Judiciary	\$ 23,500	\$ 27,000	\$ 45,500	\$49,000
State Auditor	314,477	216,544	314,477	334,661
Justice	250,200	455,700	747,300	952,800
Crime Control Division	0	0	0	80,000
Governor's Office	12,000	12,000	12,000	12,000
Highways	0	0	35,964,620	30,957,714
Revenue	220,984	270,320	220,984	270,320
Administration	0	0	26,866	26,866
Public Employees Retirement	0	0	0	73,818
Military Affairs	30,000	30,000	30,000	30,000
Health & Environmental Sciences	0	0	0	270,000
Total General Government & Highways	\$ 851,161	\$1,011,564	\$37,361,747	\$33,057,179
HUMAN SERVICES				
Social & Rehabilitation Services	\$ 9,079,374	\$12,250,568	\$36,395,124	\$46,574,642
Family Services	828,338	849,038	1,072,507	1,073,207
Total Human Services	\$ 9,907,712	\$13,099,606	\$37,467,631	\$47,647,849
NATURAL RESOURCES				
State Lands	\$ 2,517,108	\$ 2,999,161	\$ 2,517,108	\$ 3,599,161
Commerce	0	13,527	0	13,527
Total Natural Resources	\$ 2,517,108	\$ 3,012,688	\$ 2,517,108	\$ 3,612,688
INSTITUTIONS				
Institutions	\$ 1,279,855	\$ 1,571,331	\$ 1,279,855	\$ 1,571,331
EDUCATION				
Board of Public Education	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000
Office of Public Instruction	605,589	605,589	605,589	605,589
School for Deaf & Blind	246,897	206,514	246,897	206,514
Montana University System	227,080	333,091	333,091	333,091
Total Education	\$ 1,085,566	\$ 1,151,194	\$ 1,191,577	\$ 1,151,194
TOTAL SUPPLEMENTAL RECOMMENDATIONS	<u>\$15,641,402</u>	<u>\$19,846,383</u>	<u>\$79,817,918</u>	<u>\$87,040,241</u>

SENATE FINANCE AND CLAIMS
EXHIBIT NO. 7
DATE 3-5-91
BILL NO. HB 3

TC1:nm:SUPPBILL

	HB3	House Action	Fund
County Attorney Payroll - The Department of Justice is requesting a supplemental for increased county attorney payroll costs. The program pays one-half the salaries and benefits of county attorneys. Appropriated funds are insufficient because three counties changed from part-time to full-time county attorneys and because salary increases for county attorneys were 3.3 percent in fiscal 1991, as compared to an appropriation for a 2.7 percent increase. There was a fiscal 1991 appropriation transfer of \$35,000 to cover increased costs in fiscal 1990.	77,000	77,000	General Fund
Transportation of Prisoners - The Department of Justice is requesting a supplemental to pay for increased prisoner extradition costs and costs of transporting prisoners to a state detention facility. The department attributes the increased costs to rate increases for airline travel and lodging, along with a greater volume of prisoner transfers. There was a fiscal 1991 appropriation transfer of \$45,000 to cover increased costs in fiscal 1990.	100,000	100,000	General Fund
Litigation Costs-Indian Affairs - The Department of Justice is requesting a supplemental on behalf of the Department of Fish, Wildlife, and Parks for litigation costs already incurred and anticipated in connection with the <u>Confederated Salish and Kootenai Tribes v. Montana</u> court case. This action, filed in April 1990, sought a determination that the tribes have exclusive jurisdiction over all hunting and fishing by nonmembers on the Flathead Indian Reservation. The Department of Justice utilized existing legal staff, hired an additional attorney, utilized a private attorney for consultation, and retained experts in conducting the litigation effort. A cooperative agreement was reached between parties in November 1990.	0	196,000	General Fund
Fire Marshal Bureau Computer - The Department of Justice is requesting a supplemental to replace a computer in the Fire Marshal Bureau that is inoperable. The computer is used to maintain a five-year history of all fire incident reports statewide. The information is distributed nationally and locally and is used in fire incident planning and analysis.	0	9,500	General Fund
Crime Control Division Crime Victims' Compensation - The Board of Crime Control is requesting a supplemental to increase payments to innocent victims of crime from the crime victims' compensation fund. Benefits paid in the first 6 months of fiscal 1991 have used 65 percent of the original appropriation. Sufficient funds are in the state special revenue account, but additional spending authority is required.	0	80,000	State Special Revenue
Governor's Office Citizens' Advocate - The Governor is requesting a supplemental to fund toll-free telephone costs that have increased 71 percent over the number of calls budgeted by the 1989 legislature. The toll-free lines exist to provide accessibility to state government for Montana citizens. There was a fiscal 1991 appropriation transfer of \$5,700 to cover increased costs in fiscal 1990.	12,000	12,000	General Fund
Department of Highways Construction - The Department of Highways is requesting a supplemental for additional spending authority to let to contract an additional \$5.0 million highway construction projects in fiscal 1991. The department states that it has fully obligated all available fiscal 1991 construction contract funds, and would be unable to let any additional projects for the remainder of fiscal 1991 without additional authority. The increased federal authority requested is not due to the availability of additional federal funds, but is to restore original federal authority as appropriated by the legislature. The department, utilizing language in the 1991 biennium appropriations bill, reduced federal authority and increased spending authority for state special revenue to fund over \$20 million of increases in the 1991 biennium to date for Reconstruction Trust Fund (RTF) projects above the legislative appropriation. Includes \$390,614 state special for payment of judgment to Martel Construction.	3,960,000 14,040,000	1,275,482 4,115,132	State Special Revenue Federal
Maintenance-Road Oil - The Department of Highways is requesting a supplemental for anticipated increases in the cost of road oil for maintenance projects. The department used an estimate of a 30 percent increase in road oil costs. Road oil is bid on a calendar year basis.	234,716	234,716	State Special Revenue
Equipment Program-Gasoline/Supplies - The Department of Highways is requesting a supplemental for gasoline, shop supplies, and tires. Over 80 percent of the request is for gasoline, due to anticipated increases in the cost over fiscal 1991 appropriated levels. The agency used an estimate of a 62.7 increase in gasoline costs over fiscal 1990 costs. The amount requested for shop supplies and tires is also in anticipation of increased costs for petroleum based products.	735,059	735,059	Proprietary Fund

Department of Social and Rehabilitation Services

Fiscal 1991 Supplemental Requests

	<u>HIB3</u>	<u>House Action</u>	<u>Type</u>
1) AFDC: Caseloads in the AFDC program are significantly above the levels anticipated by 1989 legislature. The fiscal 1991 appropriation was based on an average monthly caseload of 9,000, while the projected caseload is 9,850.	\$1,349,986	\$1,339,886	General Fund
	150,536	135,825	State Special
	4,233,009	4,030,629	Federal
2) DAY CARE: Day care costs are above the appropriated levels due to unbudgeted day care rate increases and increased numbers of children receiving day care services.	141,222	209,870	General Fund
	292,905	433,610	Federal
3) STATE MEDICAL: Costs in this program have exceeded the appropriation in both fiscal years 1990 and 1991.	1,100,000	1,558,034	General Fund
4) MEDICAID PRIMARY CARE: Costs for this program are projected to be \$132.34 million in fiscal 1991, far in excess of the amount appropriated by the 1989 legislature. Increased caseloads and utilization are primarily responsible for the significant cost increases.	5,298,087	7,502,699	General Fund
	18,960,382	26,045,092	Federal
5) DEVELOPMENTAL DISABILITIES: Unbudgeted costs were incurred as a result of implementing Phase I & II of the the Montana Developmental Disabilities Services System. Approximately 24 residents will be moved to the community from the Montana Developmental Center during this biennium.	728,115	728,115	General Fund
	701,091	701,091	Federal
6) JOBS: The 1989 legislature appropriated \$2.25 million in federal funds to be transferred to the state Department of Labor for the federally required Job Training Program. General fund match was not appropriated in either agency.	-0-	450,000	General Fund
7) TEAMS: Funds appropriated for this project (computerization of welfare offices) during the 1989 Biennium were reverted in fiscal 1990. Appropriation of the reverted funds is requested to continue the project.	461,964	461,964	General Fund
	<u>2,977,827</u>	<u>2,977,827</u>	Federal
Total Supplemental Request	\$36,395,124	\$46,574,642	

CVS1:nrm:SUPP.wk1

**NATURAL RESOURCES SUBCOMMITTEE
AGENCY SUPPLEMENTAL REQUESTS
1991 SESSION**

	HB3	House Action	Fund
Dept. of State Lands			
<u>Wildfire Suppression</u>	\$2,517,108	\$2,999,161 600,000	General Fund Federal Funds
<p>The Dept. of State Lands requested \$3,599,161 general fund to pay wildfire suppression costs incurred in fiscal years 1990 and 1991 and estimated future costs for the remainder of fiscal 1991. Appropriations for fire suppression are not included in the agency's operations budget and are requested through the supplemental process. Known net costs are \$966,989 for fiscal 1990 and \$1,687,487 for fiscal 1991. Estimated costs, for past as well as future suppression activity, are \$944,685. The federal government reimburses a portion of the state expenses. On the House floor, an amendment was approved to reduce the general fund appropriation by \$600,000 and provide \$600,000 federal fund authority in recognition of these federal reimbursements.</p>			
Dept. of Commerce			
<u>Weights and Measures</u>	\$ 0	\$ 13,527	General Fund
<p>The Department of Commerce is requesting \$13,527 general fund to pay "unforeseen costs" in the Weights & Measures Program. The department states that there does not appear to be sufficient funds to cover the following costs: 1) \$6,162 for emergency vehicle repairs; 2) \$6,300 for increased fuel costs; and 3) a vehicle purchased for \$1,065 more than the projected amount. This request is not included in House Bill 3.</p>			

JOINT APPROPRIATIONS EDUCATION SUBCOMMITTEE

SUPPLEMENTAL APPROPRIATION REQUESTS

1991 SESSION

	HB3	House Action	Fund
<u>Board of Public Education</u>			
In fiscal year 1990, the Board of Public Education received a supplemental appropriation in the amount of \$6,000 to pay for accrued sick and annual leave of a departing staff member. Those funds were deducted from the fiscal year 1991 appropriation. The Board is requesting this supplemental to replace the funds moved from fiscal year 1991 to fiscal year 1990. The fiscal year 1991 general fund appropriation for the Board is \$115,311.	\$ 6,000	\$ 6,000	General Fund
<u>Office of Public Instruction</u>	\$605,589	\$605,589	General Fund
The Office of Public Instruction is requesting a general fund supplemental appropriation to transportation aid to school districts. The supplemental will allow state reimbursement of school district transportation costs in accordance with the payment schedules set forth in Section 20-10-140 and Section 20-10-142, MCA. The fiscal year 1991 appropriation for transportation aid is \$5,852,894. OPI is requesting an additional \$605,589.			
<u>School for the Deaf & Blind</u>	\$161,285	\$161,285	General Fund
1) \$161,285 to cover a settlement with the American Federation of Teachers, Local 4027 on annual leave and holiday pay for fiscal years 1988 and 1989;			
2) \$21,829 to cover a settlement for fiscal years 1988 and 1989 with employees who were previously covered by the union agreement but who were not part of the settlement with the union. (They had either terminated employment with the school or were promoted to a position not covered by the bargaining agreement);	\$ 21,829	\$ 21,829	General Fund
3) The original request in House Bill 3 combined the shortfall in federal Chapter 1 funds in fiscal year 1991 and teacher upgrades in the same request. The subcommittee does not recommend approval of the request to replace federal funds but does recommend approval of a supplemental appropriation for the teacher upgrades; and	\$ 53,783	\$ 13,400	General Fund
4) \$10,000 for fiscal year 1991 to pay for an increase in the costs of large print and braille textbooks, which are distributed through the schools itinerant consultant program.	\$ 10,000	\$ 10,000	General Fund
<u>Montana University System</u>			
Three of the six university units are seeking a supplemental general fund appropriation for liability insurance premium increases in fiscal 1990 and 1991 from the fiscal 1988 premium level. The requested amounts listed below by university unit represent the net two year increase from fiscal year 1988 to fiscal years 1990 and 1991.			
University of Montana	\$ 93,843	\$ 93,843	General Fund
Eastern Montana College	\$106,011	\$106,011	General Fund*
Northern Montana College	\$133,237	\$133,237	General Fund

*Current unrestricted in House Bill 3

Introduction

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 8 56 370
DATE 3-5-91
BILL NO. SB 320 Fisher

Welcome to Project DARE! Within the year, enthusiastic, committed law enforcement officers will be teaching youngsters in your community's elementary schools ways to avoid adolescent substance use.

Despite the enormous resources that continue to be invested in controlling the supply of illegal drugs, the drug trade continues to flourish. Project DARE demonstrates law enforcement officials' recognition that the problem of substance use must be addressed by stemming demand, especially among young people who might become tomorrow's users.

DARE's reception nationwide has been phenomenal. In a period of three years, the program has been introduced in more than 500 jurisdictions in 33 states, reaching thousands of students.

The excitement about Project DARE continues to grow. The Department of Defense plans to establish DARE in all its schools for military dependents. At the international level, New Zealand is implementing DARE in association with its law-related education program. Other countries, including England and Australia, are exploring the introduction of Project DARE into their schools as well.

With the development of this manual and the funding of additional DARE training centers, the Bureau of Justice Assistance is further increasing access to this exciting program. As a result, hundreds of thousands of more young people will be educated to recognize the dangers of substance use and to resist both the subtle and the direct pressures on them to experiment with drugs.

The Need for Early Prevention Education

There is nationwide concern about the use of drugs and alcohol by high school students and about the increasingly younger ages at which children begin to use these substances. According to the Institute for Social Research (ISR), in its most recent report on drug and alcohol use by American high school seniors, the United States has the highest level of teenage drug use of any industrial nation in the world.¹ In fact, almost two-thirds of all high school seniors will have tried an illicit drug before they finish high school.

One of the more disturbing trends revealed by recent studies is the decline in the average age of first use of alcohol, tobacco, and drugs. Substantial numbers of young people have reported initiating use of these substances by the time of junior high school.² Studies by ISR show that, while 1.1 percent of 1975's senior class reported substance use prior to sixth grade, this figure climbed to 4.3 percent for 1985's senior class, a fourfold increase in ten years.³ According to a recent poll conducted by *Weekly Reader* magazine, one-fourth of the fourth-graders surveyed reported feeling pressured by their peers to try alcohol or marijuana.⁴

In view of these disturbing findings, health education experts concur that prevention education must begin before children have been led by their peers to experiment with drugs and alcohol.⁵ Therefore, new prevention strategies focus on providing school children with social skills training, teaching them to identify both overt and subtle forms of negative peer pressure and how to resist it successfully. Such training typically involves behavior modeling, role-play exercises, and extended practice.

Project DARE: An Overview

Project DARE (Drug Abuse Resistance Education) is a substance use prevention education program designed to equip elementary school children with skills for resisting peer pressure to experiment with drugs and alcohol. This unique program, developed in 1983 as a cooperative effort by the Los Angeles Police Department and the Los Angeles Unified School District, uses well-trained uniformed police officers to teach a formal curriculum to students in the classroom on a regular basis. By helping students develop self-management and resistance skills, Project DARE is in the forefront of innovative programs designed to give young people the facts and to "inoculate" them against peer pressure.⁶

Several of the DARE lessons focus on building students' self-esteem, stressing that children who feel positively about themselves will be more capable of asserting themselves in the face of negative peer pressure. Still other sessions emphasize the consequences of using tobacco, alcohol, and drugs and identify alternative means of coping with stress, gaining peer acceptance, and having fun.

Through DARE, students learn that real friends will not push them into trying alcohol and drugs, and that being grown-up means making their own decisions and coping with problems in a positive way. Most important, students learn and practice specific strategies for responding to peers who offer them these substances, rehearsing how to say no effectively.

Each DARE officer may be assigned to as many as five schools per semester, one for each day of the week. Officers usually teach no more than four class units per day, spending the balance of their time giving visitation lessons to grades K-4, having lunch with students, and interacting with students on the playground. As time permits, the officers may visit other schools for one day to present an abbreviated DARE curriculum, holding assemblies and visiting individual classrooms. Officers also hold sessions for parent groups, civic organizations, and faculty members to familiarize them with the scope of the substance use problem and to introduce the DARE program.

Evaluations conducted on behalf of Project DARE by the Evaluation and Training Institute (ETI) in Los Angeles⁷ reveal great enthusiasm for the project among principals and teachers and a widespread conviction that the program has been successful in making students less accepting of substance use and better prepared to deal with peer pressure. Across all of ETI's evaluations, tests of students' knowledge, attitudes, and self-esteem have shown marked improvement among students reached by DARE.

A recent evaluation conducted by DeJong⁸ assessed the impact of Project DARE on the knowledge, attitudes, and self-reported behavior of seventh-grade children who had received the full-semester DARE curriculum during sixth grade. Compared with a control group, students who have received DARE training reported significantly lower use of alcohol, cigarettes, and other drugs since graduating from the sixth grade. These findings were especially strong for boys. In response to three questions for which students were asked to imagine friends pressuring them to use alcohol or drugs, students who had received DARE training were significantly less likely to indicate acceptance of their friends' offers. Moreover, refusal strategies used by the DARE group more often included removing themselves from the situation or suggest-

ing alternative activities, strategies emphasized by the DARE curriculum.

Purpose and Organization of This Manual

Positive findings such as these have led the Bureau of Justice Assistance to fund the development of this manual to assist law enforcement officers, school officials, parents, and community leaders with replicating DARE in their communities. Programs that have implemented DARE have found that successful replication requires a commitment to implement the program as whole. This means that, to ensure the establishment of an authentic DARE program, ten elements, delineated in Exhibit A, must be present.

Each of the first ten chapters of this manual discusses the steps required to complete one of these elements. The chapters are presented in the order in which the elements are likely to be implemented. At the end of each chapter are performance standards that will help to determine whether necessary tasks have been performed.

Completing the first cycle of DARE typically requires approximately 12 months. A time line giving estimated times for implementing each element and meeting performance standards appears in Exhibit B. Chapter 2 lists factors that may affect this schedule.

Chapter 11, Evaluation, is intended to help administrators decide whether and how they wish to have their activities formally evaluated. Chapter 12 provides an opportunity to review the year's activities and to plan for program refinement and expansion in the coming year.

The body of this manual addresses program development at the community level. A number of states, however, have chosen to coordinate DARE program development and oversight at the state level. Because some of the communities using this manual will be part of a statewide system, tasks that state coordinators may require are noted when the tasks differ from those a free-standing program would perform. The advantages of state coordination and the role and development of statewide systems are outlined in Appendix C.

relevant topic. During each class, the DARE officer selects two or three questions to answer.

7. Teachers are required to remain in the classroom during the DARE lesson. While participation of the regular classroom teachers is not mandatory, teachers are encouraged to take an active role—helping pass out materials, answering students' questions as they complete in-class assignments, assisting with organizing role play, and participating in discussions at critical points. The instructor's guide suggests extended activities for the regular classroom teachers to use to introduce DARE concepts into their own classes and to reinforce the DARE lessons—for example, making a directory of emergency phone numbers to take home and place next to the telephone, making posters, or using DARE words in written assignments.

The DARE Lessons

Before the DARE curriculum itself is begun, the DARE officer visits the class to introduce the DARE program and to get to know the students. Teachers have students prepare name cards that students keep on their desks so that the officers can address them by name. After introductions, the students discuss what they think a drug is. In conclusion, the DARE officer defines it as "any substance other than food that can affect the way your mind and body work."

Students then take a one-page true-false quiz, "What Do You Know About Drugs?" This quiz is readministered at the end of the semester, to measure how much the children have learned from the course.

The following brief summaries of each lesson capture the scope of the DARE core curriculum and show the care taken in its preparation. Figure 5.1 provides a list of the 17 lessons and principal teaching objectives.

1. Practices for Personal Safety

Objectives:

- a. To acquaint students with the role of the police officer in the classroom.
- b. To review various safety practices to protect students from harm.
- c. To explain the need for laws and rules to protect people from harm.

Activities:

- a. Students talk about the need for

laws, and they list various school rules that help them stay safe.

- b. Students review with the DARE officer a list of rights that children have—for example, the right to be protected from harm, the right to say no when asked to do something they know is wrong.
- c. The officer describes different types of touching to help students differentiate between appropriate and inappropriate touching.
- d. The officer introduces the 911 emergency call number and leads students through role plays that illustrate how to summon help.
- e. Students complete a worksheet, "It's the Law," which focuses on the need to turn to adults for help in certain emergencies.

2. Drug Use and Misuse

Objective:

To highlight the harmful effects of drugs if they are misused.

Activities:

- a. The film *Drugs and Your Amazing Mind** introduces the positive and negative effects on the body of a number of drugs, why people use drugs, the risks involved, and how to say no.
- b. The officer reviews answers to the true-false quiz completed before the first lesson, referring to the film as appropriate.
- c. The class considers the possible consequences of various actions, such as not doing chores at home, cheating on a test, or taking a dare to drink some beer.

3. Consequences

Objective:

To teach the many consequences, both positive and negative, of using or choosing not to use drugs.

* The film *Drugs and Your Amazing Mind* is available for approximately \$350 from Alfred Higgins Productions, Inc., 9100 Sunset Boulevard, Los Angeles, CA 90069.

Figure 5.1

DARE LESSON OBJECTIVES CORE CURRICULUM (GRADES 5-6)

Objectives/Skills	1. Practices for Personal Safety	2. Drug Use and Misuse	3. Consequences	4. Resisting Pressures to Use Drugs	5. Resistance Techniques: Ways to Say No	6. Building Self-Esteem	7. Assertiveness: A Response Style	8. Managing Stress Without Taking Drugs	9. Media Influences on Drug Use	10. Decision Making and Risk Taking	11. Alternatives to Drug Use	12. Role Modeling	13. Forming a Support System	14. Ways to Deal with Pressures from Gangs	15. Project DARE Summary	16. Taking a Stand	17. DARE Culmination
I. Cognitive information	X	X	X	X						X			X	X			
II. Recognizing types of pressures			X	X	X	X	X	X	X	X		X				X	
III. Refusal skills			X	X		X								X		X	
IV. Consequential thinking and risk taking	X	X	X		X		X		X	X				X		X	
V. Interpersonal and communication skills			X	X	X	X	X	X	X	X	X		X			X	
VI. Critical thinking (decision making)	X	X	X	X				X	X	X	X	X		X		X	
VII. Positive alternatives										X	X	X		X		X	

Key: X = objective and/or skill is emphasized by this unit

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Activities:

- a. Students complete a worksheet that requires them to list positive and negative consequences of both using and choosing not to use alcohol and marijuana.
- b. The students report their answers, which the DARE officer lists on the board.
- c. The DARE officer notes that most of the negative consequences are listed under using alcohol and marijuana, whereas most of the positive consequences are listed under choosing *not* to use those substances.

4. Resisting Pressures to Use Drugs

Objectives:

- a. To make students aware of the different types of peer pressures they may face to take drugs.
- b. To teach students to say no to such offers by thinking of the negative consequences of drug use.

Activities:

- a. The DARE officer introduces four major sources of influence on people's behavior—personal preferences, family expectations, peer expectations, and the mass media.
- b. The officer explains different types of pressure that friends will exert to get others to try alcohol or drugs, ranging from friendly persuasion and teasing to threats.
- c. The students complete two exercises, "Saying No to Friendly Pressure" and "Saying No to Teasing Pressure." These exercises show cartoons of two children pressuring a third to drink some beer or smoke a marijuana cigarette and ask students to write down a way to say no.

5. Resistance Techniques: Ways to Say No

Objective:

To reinforce the preceding lesson by having students practice effective ways of responding to peer pressure.

Activities:

- a. The DARE officer lists on the board several techniques for refusing drugs.
- b. The officer emphasizes that children can avoid situations in which they might be subjected to pressure and can choose to "hang out" with nonusers.
- c. In groups, all students come before the class and rehearse a resistance technique.
- d. The DARE officer clarifies how certain techniques work better in response to certain types of pressure. The "trap" of using long-term health consequences as a reason for choosing not to use alcohol or drugs is explained, and alternatives are suggested.

6. Building Self-Esteem

Objectives:

- a. To explain that self-image results from positive and negative feelings and experiences.
- b. To teach students how to identify their own positive qualities.

Activities:

- a. Students review their completed homework assignment, "Why Some Kids Use Drugs."
- b. The DARE officer establishes that poor self-esteem is one of the most important factors associated with drug use, and that those with high self-esteem have identified their strengths, accept their limitations, accept responsibility, and think for themselves.
- c. Using the story of "Bill's Balloon," the officer shows that how children feel about themselves—represented by the amount of air in their "self-esteem balloon"—results from positive and negative feelings and experiences.
- d. Students put their names at the top of worksheets entitled "Giving a Compliment" and route the worksheets around the class. As each sheet is passed to them, students write a com-

pliment about the person whose name appears at the top. When the sheets are eventually returned to their owners, the students write a self-compliment.

7. *Assertiveness: A Response Style*

Objective:

To introduce assertiveness as a technique for refusing offers of drugs.

Activities:

- a. The DARE officer asks students to share with the class what happened during the past week to increase their self-esteem and to cite a positive quality about themselves.
- b. Through role plays, an assertive response style (good posture, strong voice, eye contact, calm manner) is contrasted with both passive and aggressive styles.
- c. The students work with a partner to develop a skit on being assertive. With each performance, the DARE officer checks with the class to see if an assertive response was shown.

8. *Managing Stress Without Taking Drugs*

Objectives:

- a. To help students recognize stress in their lives.
- b. To help students develop alternatives to taking drugs for relief of stress.

Activities:

- a. After describing the "fight or flight" response to danger, the DARE officer notes that modern-day stressors (e.g., taking a test) do not provide the opportunity either to "fight" or to "flee"; constructive ways of managing stress must be learned.
- b. Students complete a worksheet entitled "My Stress Level," which asks them to indicate which of several stressors they have experienced in the past month (e.g., failed to complete an assignment).
- c. Working in groups, students choose two stressors and devise strategies for either preventing those stressors from operating or relieving stress if they do.

- d. The DARE officer leads a discussion about when the deep-breathing technique can be used to relieve stress and leads the class in practicing deep-breathing exercises.

9. *Media Influences on Drug Use*

Objective:

To develop students' skills to analyze and resist media influences to use alcohol and drugs.

Activities:

- a. The DARE officer introduces various advertising strategies employed by the mass media to promote certain products (e.g., the "bandwagon approach," snob appeal, testimonials from celebrities).
- b. The officer shows the students, through example, how to see through advertisers' strategies.
- c. Students work in groups to create an anti-alcohol or anti-drug commercial, using the techniques employed by professional advertisers. The DARE officer calls on each group to perform its commercial before the class.
- d. As homework, students analyze a television commercial or magazine advertisement for an alcohol or drug product.

10. *Decision Making and Risk Taking*

Objective:

To teach students to apply decision-making skills in evaluating the results of various kinds of risk-taking behavior, including drug use.

Activities:

- a. The DARE instructor points out that there are a variety of everyday risks that people take and that while some risks are reasonable to take, others can result in harm to oneself or others.
- b. On a worksheet, "The Choices You Make," students indicate which factors would be the most important influence in a number of decisions they might make (e.g., whether to lie or tell the truth, what to do when school is out).

- c. The DARE officer lists steps to follow when faced with a choice involving risk—identifying the range of available choices, assessing the positive and negative results of each option, determining the best alternative, and seeking consultation from others prior to making the final choice.
- d. The students role-play and complete several written exercises that involve hypothetical offers of alcohol or drugs from friends.

11. *Alternatives to Drug Use*

Objective:

To teach students about rewarding activities that are appropriate alternatives to taking drugs.

Activities:

- a. The DARE officer contends that the reasons people use drugs reflect various needs that all young people have, all of which can be met in other, healthier ways.
- b. The officer points out that sports and physical fitness activities have several beneficial effects, including providing opportunities for enjoyment and achievement.
- c. The officer leads the students in exercises and endurance games.
- d. The students complete a worksheet, "What I Like to Do," that asks them to generate a list of activities they enjoy—their favorite game, their favorite way to have fun alone, and so on.
- e. Another worksheet, "Name the Game," is a word puzzle involving the names of various sports and games; in solving it, students spell out a hidden message: "Say no to drugs."

12. *Role Modeling*

Objective:

To present as role models older students who are school leaders and who have resisted peer pressure to use drugs, to demonstrate that most students do not use drugs.

Activity:

In their discussion with the class, the older students talk about why they have chosen not to use drugs or alcohol. The class asks questions which students have prepared in advance.

13. *Forming a Support System*

Objective:

To show students that a support system emerges through having positive relationships with many different people.

Activities:

- a. The DARE officer notes that everyone has needs that can be met only through positive relationships with others, such as needs for recognition, acceptance, and affection.
- b. The students then complete a worksheet, "Choosing Friends," which requires them to indicate which personal qualities they look for when choosing friends.
- c. After completing the worksheet, the students share their responses and discuss barriers to friendship and how to overcome them.
- d. The officer points out that the students already belong to two support groups—their family and this class.
- e. Building from that discussion, the officer draws a diagram of his or her own support system, with one circle representing the officer and several surrounding circles representing other groups, such as colleagues on the police force and family members.
- f. As homework, the students complete a diagram of their own support system.

14. *Ways to Deal with Pressures from Gangs*

Objective:

To teach students about the kinds of pressure they may encounter from gang members and how to evaluate the choices available to them in the face of that pressure.

Activities:

- a. The students name the social activi-

ties they enjoy and the people with whom they share them. The DARE officer points out that their relationships with these people help them satisfy needs for recognition, acceptance, affection, and observes that young people join gangs to meet these same needs.

- b. The officer then explains that to cope with bullying or intimidation, students can avoid places where gang members "hang out"; they can leave money and other valuables at home; and they can make sure they are busy with constructive activities that meet their needs for friendship and love.
- c. As a class, the students read several vignettes involving bullying behavior by gang members and discuss the choices they have and the consequences of each.

15. Project DARE Summary

Objective:

To summarize and assess what students have learned from participating in Project DARE.

Activities:

- a. With the class divided into competing teams, the officer reads a series of questions about Project DARE, giving each team its turn to earn points for correct responses.
- b. Working individually, the students complete the same true-false quiz as before ("What Do You Know About Drugs?"), and the officer again reviews the correct answers.
- c. On the reverse side of that worksheet, students write down the three most important things they learned from Project DARE, what they liked best about the classes, and what they liked least.

16. Taking a Stand

Objective:

To have each student declare his or her "DARE Pledge."

Activities:

- a. Students bring in a completed home-

work assignment, a worksheet entitled "Taking a Stand," which asks them to articulate how they will (1) keep their body healthy, (2) control their feelings when angry or under stress, (3) decide whether to take a risk, (4) respond when a friend pressures them to use alcohol or drugs, and (5) respond when they see people on television using alcohol or drugs. This document represents each student's "DARE Pledge."

- b. Every student reads his or her pledge to the class. The student whose pledge is voted the best will read it at an assembly the following week.

17. DARE Culmination

Objective:

To award students their DARE certificates.

Activities:

- a. In a schoolwide assembly, planned in concert with school administrators, the winning "DARE Pledge" from each class is read by its author.
- b. Each student who successfully completed the DARE curriculum receives a certificate of achievement signed by representatives of the law enforcement and education agencies. Figure 5.2 displays a typical certificate.

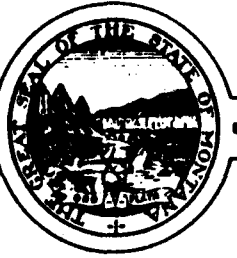
Adaptations of the Core Curriculum

As noted in Chapter 2, program developers may want to make minor changes in the core curriculum lessons that reflect the needs and mores of their particular jurisdiction. It must be emphasized, however, that in order to preserve the integrity of the DARE program, no substantive changes should be made. Following are examples of minor changes made by three programs.

In Virginia, review and revision of the Los Angeles DARE curriculum was undertaken by officials of that state's Department of Education and resulted in these minor changes:

- The DARE officer brings a "Word List" poster to each classroom to be displayed on a bulletin board.
- At the first class, the officer brings a small trunk, a "special treasure chest," filled with items that represent important facets of the officer's life.

DEPARTMENT OF INSTITUTIONS



STAN STEPHENS, GOVERNOR

1539 11TH AVENUE

STATE OF MONTANA

(406) 444-3930

HELENA, MONTANA 59620-1301

SB 370

The war on drugs is much like a three legged stool. These legs are; interdiction, treatment, and prevention. Each of these legs has an important role to play in our efforts to impact the tragic effects of the abuse of alcohol and other drugs. Historically, the major responsibilities of the Department of Institutions have been with treatment, which we see as a critical function because there are so many individuals who become addicted to alcohol and other drugs -- legal and illegal. Through out state government there is a long history of financial support for interdiction and treatment as critical legs of the war on drugs.

The third leg, prevention, historically has been the step-child of our nation's long struggle to end the scourge of drug abuse. It is hard to define the scope of prevention. In the field of alcohol and other drug abuse, we are concerned with more than the prevention of addiction, we are also concerned with preventing tragic events like the loss of four young lives in Bridger just this past month.

The DARE program is important for three reasons. First, it provides education about the effects of alcohol and other drugs to children at an impressionable age, an age when more and more of Montana's young people are beginning to experiment with alcohol and other drugs. Second, it provides these children with positive experiences and useful skills which build their self esteem, including the teaching of refusal skills. The skills to build self esteem and handle peer pressure are skills for a life time. Third, the DARE program build positive relationships between young people and law officers. For these reasons we see DARE as an important part of community based prevention efforts. It fits within the goals of the Department of Institution to promote community based prevention efforts.

S
DARRYL L. BRUNO
Administrator Alcohol & Drug Division

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 9

DATE 3-5-91

BILL NO. SB 370

50378

WITNESS STATEMENT

To be completed by a person testifying or a person who wants
their testimony entered into the record.

Dated this 5 day of March, 1991.

Name: Mark Brown

Address: 221 Breckenridge
Nelms

Telephone Number: 447-8238

Representing whom?

Montana DARE Officers Association

Appearing on which proposal?

513 370

Do you: Support? ✓ Amend? Oppose?

Comments:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slightly textured appearance, typical of standard office or school paper. There is no handwriting or other markings on the page.

State of Montana

Stan Stephens, Governor

Bob Turner

SB 370



Department of Revenue

Denis Adams, Director

Income and
Miscellaneous Tax Division

Jeff Miller, Administrator

MEMORANDUM

TO: Members of the Senate Finance and Claims Committee

FROM: *J* Jeff Miller, Administrator, Income & Misc. Tax

RE: Check Off Program Considerations

DATE: March 4, 1991

The reasons for the Department opposing SB 370 and all other proposed additional check-offs are summarized below:

- 1.) **Administrative Costs** - the up-front reprogramming costs associated with adding an additional check-off to our form are \$22,000 the first year and \$2,920 ongoing costs for each year thereafter. Although, we can not predict public receptiveness to each new program, it could well be 2 full years before the receipts from the check-off exceed the costs to implement it. We have no funding to offset the deficit created.
- 2.) **Proliferation of Check-Offs** Our present count is 4 check-offs the Public Campaign Fund, Non-Game Wildlife Fund, Child Abuse Prevention Fund, and Agriculture in Montana Schools. We believe the tax return and the tax booklet should be limited to the purpose of informing our customers about their tax requirements and used as the vehicle to calculate and collect the tax owing.

Adding check-offs is contrary to our interest in simplifying the tax reporting forms and processes and sets a precedent we do not want to see expanded. The causes are all worthwhile and the causes keep expanding.

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 10

DATE 3-5-91

BILL NO. SB 370

- 3.) **Diminishing Use - Administrative Efficiencies** Our experience has shown that both in total numbers of dollars contributed and in the number of returns electing to use the check-offs, **interest has fallen dramatically.**

In 1985 - the year Child Abuse Prevention and Ag. in Montana's Schools were added to the return - we saw record participation. In that year a total of 11,544 returns contributed a total of \$69,928.

In 1989 the number of contributors had fallen dramatically to 6,934 and so too had their total contributions - \$51,448. To put this in better perspective, in aggregate **less than 2 % of our customer population are using the check-off programs and their average contribution is \$7.38. With participation that light, one has to wonder whether this a very efficient means of raising funds.**

- 4.) **General Fund Subsidies.** Although SB 370 is written to allow the Department to deduct administrative costs from the proceeds of the check-off, in fact the bill does not grant spending authority. This is also a problem with existing check-off programs. Therefore the result is the general fund pays the full amount of administrative costs associated with the check-off programs.
- 5.) Finally as written, the proposed SB 370 DARE check-off option lacks an applicability date and is only available to those entitled to a refund. Therefore, participation might be especially light since only 50 % or less of our customers will receive refunds in any given year.

It is for the foregoing reasons we must respectfully oppose SB 370, HB 796, and all other proposals for creating additional check-offs on the income tax return forms.

Attachment

MONTANA DEPARTMENT OF REVENUE
INCOME AND MISCELLANEOUS TAX DIVISION
CHECK OFF PROGRAM

SB 370
Bob Turner

NAME	TAX YEAR	CONTRIBUTION	# OF RETURNS CONTRIBUTING	# OF RETURNS PROCESSED
<hr/>				
PUBLIC CAMPAIGN	1983	\$4,238.00	4238	365,632
PUBLIC CAMPAIGN	1984	\$3,727.00	3727	365,051
PUBLIC CAMPAIGN	1985	\$2,486.00	2486	366,690
PUBLIC CAMPAIGN	1986	\$2,136.00	2136	363,797
PUBLIC CAMPAIGN	1987	\$2,403.00	2403	364,477
PUBLIC CAMPAIGN	1988	\$1,495.00	1495	368,876
PUBLIC CAMPAIGN	1989	\$1,466.00	1466	377,079
<hr/>				
NON-GAME	1983	\$35,427.00	6630	365,632
NON-GAME	1984	\$34,060.00	6218	365,051
NON-GAME	1985	\$31,869.00	4146	366,690
NON-GAME	1986	\$24,616.00	3108	363,797
NON-GAME	1987	\$20,463.00	2521	364,477
NON-GAME	1988	\$21,698.00	2339	368,876
NON-GAME	1989	\$21,299.00	2318	377,079
<hr/>				
CHILD ABUSE	1985	\$27,086.00	3595	366,690
CHILD ABUSE	1986	\$20,732.00	2721	363,797
CHILD ABUSE	1987	\$19,448.00	2497	364,477
CHILD ABUSE	1988	\$21,349.00	2288	368,876
CHILD ABUSE	1989	\$21,942.00	2351	377,079
<hr/>				
AGRI MT SCHOOL	1985	\$8,487.00	1317	366,690
AGRI MT SCHOOL	1986	\$8,727.00	1167	363,797
AGRI MT SCHOOL	1987	\$4,912.00	768	364,477
AGRI MT SCHOOL	1988	\$5,854.00	750	368,876
AGRI MT SCHOOL	1989	\$6,741.00	799	377,079
<hr/>				
VET'S CEMETERY	1987	\$7,042.00	817	364,477

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 19

DATE 3-5-91

Purpose of Amendment to Senate Bill 370
1st Reading Copy
Prepared by Department of Revenue
(March 4, 1991)

58370

Amendment 1. This act creates a trust fund for drug abuse resistance education, allows it to accept gifts and grants, establishes restrictions on the expenditure of funds, and establishes a check-off on the state income tax return for donations. For clarity, the section of the act that provides a tax deduction for contributions, whether or not a check-off, needs a retroactive applicability date. The sections that create a check-off on the tax forms also need an applicability date for clarity. This amendment clarifies that 1) contributions made during 1991 will be deductible against 1991 income and 2) the check-off will be available on the 1991 tax returns that will be filed in 1992.

SENATE FINANCE AND CLAIMS
EXHIBIT NO. 12
DATE 3-5-91
BILL NO. 58370

Amendment to Senate Bill 370
1st Reading Copy
Prepared by Department of Revenue
(March 4, 1991)

1. Page 10, line 11.

Following: "approval."

Insert: "[Section 6 of this act] applies retroactively, within the meaning of 1-2-109, to taxable years beginning after December 31, 1990. [Section 7 and 8 of this act] apply to tax forms filed for taxable years beginning after December 31, 1990."

SB 112

HISTORICALLY, THE BOARD OF REALTY REGULATION HAS HAD AN ADMINISTRATOR ON ITS STAFF. THE DEPARTMENT OF COMMERCE, PROFESSIONAL AND OCCUPATIONAL LICENSING BUREAU WAS REORGANIZED IN 1985. THE ADMINISTRATOR POSITION WAS THEN SHIFTED TO THE LEGAL POOL FOR THE POL BUREAU.

SINCE THAT TIME, THE BOARD HAS BEEN ADDING TO THE LIST OF PROGRAMS IT IS RESPONSIBLE FOR IMPLEMENTING AND OVERSEEING. THESE PROGRAMS INCLUDE THE REGISTRATION OF TIMESHARE DEVELOPMENTS AND THE LICENSING OF THE TIMESHARE SALES STAFF. PRE-LICENSING AND CONTINUING EDUCATION REQUIREMENTS HAVE BEEN IMPLEMENTED TO UPGRADE THE QUALITY OF OUR LICENSEES. THE FOREIGN LAND SALES PRACTICE ACT HAS INCREASED IN ACTIVITY IN THE RECENT PAST.

THIS BOARD IS FUNDED TOTALLY BY LICENSING FEES. WE DO NOT RECEIVE ANY GENERAL FUND MONIES. THIS POSITION DOES REQUIRE ADDITIONAL APPROPRIATION FOR THE BOARD OF REALTY REGULATION, BUT IT WOULD NOT REQUIRE ADDITIONAL REVENUES. OUR CURRENT FUNDING LEVELS COULD ABSORBE THIS ADDITIONAL APPROPRIATION.

THE BOARD IS ATTEMPTING TO GET BACK IN THE SERVICE BUSINESS TO OUR LICENSEES AS WELL AS TO THE CITIZENS OF MONTANA. IN ORDER TO DO THIS, WE MUST HAVE A FULL TIME STAFF MEMBER WHO HAS THE QUALIFICATIONS TO IMPLEMENT THE NEW PROGRAMS WE HAVE ADDED, CAN KEEP OUR BUDGET ON TRACK, AND PROVIDE LEADERSHIP AND CONSISTENCY WITH ALL ASPECTS OF THE BOARDS PERFORMANCE, FROM COMPLAINTS AND INVESTIGATIONS TO ISSUING LICENSES AND LICENSEE AND CONSUMER

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 12

DATE 3-5-91

BILL NO SB 112

EDUCATION.

THE EXTENSIVE EDUCATIONAL PROGRAM THAT THE BOARD IS TRYING TO IMPLEMENT IS A MAJOR CONCERN AND EFFECTS ALL LICENSEES. THE BOARD HAS AN EDUCATION FUND ESTABLISHED, AND A VISION OF A PROGRAM THAT WOULD BENEFIT THE CONSUMING PUBLIC AS WELL AS ASSIST THE LICENSEE IN MEETING THE REQUIRED CONTINUING EDUCATION REQUIREMENT BY OFFERING QUALITY, TIMELY EDUCATION INSTEAD OF ALLOWING ALMOST ANY COURSE APPROVED SIMPLY BECAUSE WE DO NOT HAVE THE STAFF TO MANAGE A COMPREHENSIVE PLAN.

IN ADDITION TO EDUCATION, OTHER PROGRAMS CONNECTED WITH THE BOARD OF REALTY REGULATION HAVE INCREASED IN ACTIVITY AND COMPLEXITY. TIMESHARE REGISTRATION AND LICENSING IS COMING OF AGE AS DOMESTIC TRAVEL INCREASES AND MONTANA EARNS A NAME IN THE VACATION INDUSTRY. THE REVIEW AND APPROVAL OF THESE PROJECTS HAS FALLEN ON THE SHOULDERS OF PART TIME STAFF AND A VOLUNTARY BOARD MEMBER. A FULL TIME STAFF MEMBER COULD MONITOR PROJECTS AND WORK CLOSELY WITH DEVELOPERS IN GETTING THEIR PROJECTS TO MEET MINIMUM REQUIREMENTS. THE BOARD DEVELOPED LICENSING EXAM AND CORRESPONDENCE COURSE WILL REQUIRE CONSTANT EDITING AND UPGRADING.

THE UNIT OWNERSHIP ACT AND THE FOREIGN LAND SALES PRACTICE ACT ARE CURRENTLY BEING ADMINISTERED BY THE BOARD OF REALTY REGULATION STAFF. THESE PROGRAMS ARE MAKING GREATER DEMANDS ON THE CURRENT STAFF, AND ARE REQUIRING A GREATER WORKING KNOWLEDGE

OF THE LAWS AND RULES SPECIFIC TO THOSE AREAS.

THE BOARD IS COMMITTED TO THE CONCEPT OF PROTECTION OF THE PUBLIC. THE PHILOSOPHY OF THE BOARD IS TO RAISE THE STANDARDS OF EDUCATION AND CONSUMER PROTECTION. IN ORDER TO DO THIS, WE NEED TO HAVE AN EXECUTIVE SECRETARY AVAILABLE TO DEVELOP THESE PROGRAMS AND NURTURE THEIR EXPANSION.

WE HAVE A VISION OF THE FUTURE THAT INCLUDES EXPANSION OF OUR EDUCATION PROGRAMS, BOTH EDUCATION OF LICENSEES AND CONSUMER PROGRAMS AND PUBLICATIONS TO ASSIST IN THE LARGEST INVESTMENT MOST PEOPLE WILL MAKE IN THEIR LIFE.

MONTANA MUST MOVE AHEAD IN ORDER TO MAINTAIN CURRENT LICENSING STANDARDS BEING SET FOR THE REAL ESTATE INDUSTRY. OUR CURRENT AND FUTURE LICENSEES ARE DEMANDING MORE FROM THEIR LICENSING BOARD. THE GENERAL CONSUMER IS DEMANDING A MORE SOPHISTICATED AND KNOWLEDGEABLE LICENSEE TO ASSIST THEM IN A REAL ESTATE TRANSACTION.

AS A VOLUNTARY BOARD, WE RELY HEAVILY ON OUR STAFF TO HANDLE THE OPERATION OF THE BOARD OFFICE. WE SEE A MORE ACTIVE ROLE FOR THE BOARD OF REALTY REGULATION IN THE FUTURE. WE SEE A NEW PROFESSIONALISM ENTERING THE REAL ESTATE INDUSTRY, AND THE BOARD AND ITS STAFF BEING THE FRONT RUNNER IN THIS AREA. CURRENT STAFF LIMITS DO NOT ALLOW FOR EXPANDED WORKLOAD, NOR DO THE CURRENT STAFFING LEVELS ALLOW THESE DUTIES TO BE ABSORBED.

WE RESPECTFULLY REQUEST A DO PASS RECOMMENDATION ON SENATE BILL
112.

GRACE BERGER, THE ADMINISTRATIVE ASSISTANT FOR THE BOARD OF
REALTY REGULATION IS ALSO HERE TO ANSWER QUESTIONS.

DEPARTMENT OF HIGHWAYS

HB 3



STAN STEPHENS, GOVERNOR

2701 PROSPECT AVE.

STATE OF MONTANA

HELENA, MONTANA 59620

March 4, 1991

Judy Jacobson, Chair
Senate Finance and Claims
Capitol Station
Helena, MT 59622

The Department of Highways requires immediate action on HB-3 to continue the Highway construction program. The department suspended bid lettings in December 1990 due to the lack of spending authority for additional contractor payments in FY 91.

Section 17-8103, MCA prohibits the department from contracting for expenditures in excess of a legislative appropriation. The Department of Highways' appropriation for the Construction Program contractor payments for the FY 90-91 biennium was developed in August 1988 based on expected expenditure amounts through June 30, 1991. Subsequent to the approved appropriation authority in the 1989 legislative session, anticipated expenditure from the department's bid lettings, cost overruns and the remainder of the FY 88-89 biennium contracts fully obligated our FY 90-91 biennium expenditure authority. Unexpected cost increases due to the rise in petroleum products in other programs did not provide the flexibility to transfer expenditure authority to the Construction Program.

The department has resumed the bid letting process for February anticipating legislative approval of the \$5 million

Judy Jacobson
Page 2
March 4, 1991

supplemental budget request in HB-3. This amount is the anticipated expenditure of approximately \$80 million of federal-aid construction projects the department will let to contract prior to June 30, 1991.

It is crucial to the Department of Highways' construction program and the Montana construction industry to maintain an even flow of construction projects. The February 28, 1991 bid letting contracts must be signed within two weeks which require adequate expenditures authority at that time as explained previously. I have attached an explanation of the required time frames.

I appreciate your assistance in this vital process and if you have questions, please call me at 444-6201.

A handwritten signature in cursive script, appearing to read "John Rothwell".

John Rothwell
Director of Highways

JR:WGS:D:DO:8.dak

Attachment

TIME INVOLVED ON PROJECT BETWEEN DEVELOPMENT AND AWARDING

Normally a project must be into Contract Plans section at least 13 weeks before letting.

9 weeks is needed for all the preparatory work to have the project ready to advertise.

The project is then advertised for 4 weeks.

Bids are opened on the bid opening day (usually the 4th thursday of the month).

3 or 4 days after the bid opening a bid review meeting is held.

The bids are sent to the Commission for award of contract within 10 days.

The contracts are mailed to the contractor within 1 day.

The contractor usually needs about 3 weeks to secure the insurance and bond and other things related to the contract.

DOH sends contract to State Auditor
file with county clerk and recorder
director and highway commission chairman must sign
return the signed contract to contractor

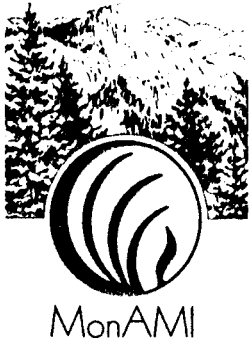
The 4 items mentioned above require 2 weeks.

The contractor is then free to start work at this point.

Contracts awarded in February are expected to start around April 15.

Gordon says projects awarded in the February letting should start approximately April 15 and the 1st contractor estimates would be received in construction in early May.

March 5, 1991



SUPPORTING SB 391 TO ALLOW MEDICAID TO INCLUDE
TARGETED CASE MANAGEMENT FOR PERSONS WITH
SERIOUS MENTAL ILLNESSES

Montana Alliance for the Mentally Ill

Senate Finance and Claims Committee

Chair Jacobson and Members of the Committee

I am Marty Onishuk, representing MonAMI, an organization comprised of consumers with serious mental illnesses and their families. We now have eight chapters in Montana.

Serious mental illnesses are diseases of the brain which interrupt transmission of messages on nerve fibers. The exact causes are not completely understood, but advances in knowledge are being made daily. More medications are becoming available for schizophrenia, manic-depressive disease and other chronic diseases. By the year 2000, we expect great medical strides and new medications without troublesome side-effects.

But, in the meantime, people with mental illnesses need help. Our consumers want a home, a job, and friends like anyone else. Until the diseases are controlled, they need help in daily living.

Currently this help is provided by case managers who are trained, not in therapy, but to help consumers live as normal lives as possible. They help consumers find housing, buy groceries, make budgets, discover friends, find work, visit the doctor--every day activities each of us take for granted.

Because mental illness is cyclical, more help is needed some times than others. With help, the consumers are able to live in the community and not in the restrictive, expensive environments such as the State Hospital.

We in MonAMI are convinced that people with serious mental illnesses are best served with good case management. The regional mental health centers need more case managers.

Therefore, we urge you to support SB 391 which will allow medicaid to provide targeted case management to the seriously mentally ill population. We understand no new appropriation will be required to provide matching state funds. Please support a better life for our loved ones by voting to pass SB 391.

5855 Pinewood Lane
Missoula, Mt. 59803
251-2754

Supporting Senate Bill 391

Appropriations Committee Members: Hello!

When a consumer has been institutionalized or hospitalized for a long enough period of time, that consumer has learned to be dependant upon the care given him/her by hospital staff. Hospital staff has met the every need and desire that a consumer has had, all through the consumer's stay in the hospital. The consumer has no idea how to function outside of a hospital setting; the hospital has been the consumer's whole world for a long term. The consumer has no idea what it would take to live on his/her own, without the aid of hospital staff. For the most part, a consumer who has been in a hospital for any number of years, is dependant upon the hospital, as a young child is dependant upon his/her mother. This dependancy is very strong; it is a very "real" thing to a consumer who is practically, for all that it means, "living" in a hospital.

When a consumer is placed in pre-release, the expectation is that the consumer will learn the skills needed to live on one's own. This is an impractical and impossible expectation for a consumer to live up to when, in fact, pre-release ~~realistically~~ realistically cannot live up to the responsibility of teaching a person to be independant. If a consumer was released from Warm Springs, ~~and~~ was expected to live independantly, I would

upon the skills that pre-release taught them alone, the consumer would fail miserably, because pre-release ~~do not~~ does not and cannot teach a consumer all the independent living skills that a person is going to need to use during a lifetime.

A consumer needs to learn independent living skills during the time that he/she is actually ~~to be~~ living independently. This ~~requires~~ ~~means~~ a whole lot of support given them by a Case Manager. The only way that a consumer can be expected to live in a Montana community after being released from Warm Springs, is to provide the consumer with a Case Manager. The Case Manager can show "the ropes" of independent living to a consumer who desperately needs to learn how to be self-sufficient and empowered. Case Managers provide the very basic, vital need of support and guidance. A consumer's case manager helps set up the needed community based resources and supports that a consumer will need to start living on his/her own. Because of this, the case manager is a vital link to the successful community life of a consumer. It is the case manager's job to help the consumer to be as self-sufficient, self-reliant, independent, and empowered as he/she can be. The case manager helps to the consumers such things as what is acceptable, appropriate behavior in social settings along with

practical, useful tasks, such as showing a consumer how to budget money, how to shop for food and clothing, and how to wash one's clothing.

The change from living in a hospital environment to living in a community setting can often be a scary, intimidating, ~~unpleasant~~, and terribly un-nerving thing for a consumer to experience. The consumer is forced with a challenge that he/she cannot meet and face alone. A case manager can be a really helpful resource to a consumer who really needs some support. In short, case managers are a vital key to the success of deinstitutionalization and the ~~big~~ success of the independent living of consumers released from Warm Springs.

Please adequately provide the necessary funding to support ~~the~~ case managers and their efforts, and the efforts of deinstitutionalization and consumer empowerment for the good of all the mentally ill and their families in Montana.

Thank you,
Jeffrey Kratt
Vice Pres.
Open Minds
Missoula, MT

VISITORS' REGISTER

HB 3

SB 112, 370, 391

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
JOHN DONWEN	SRS	3	—	
James Kembel	Public Safety Div / Doc			
Grace Berger	Bd of Realty	112	✓	
MARK BROWN	MT. DARE OFFICERS ASSN	370	✓	
Chuck O'Reilly	Shenff	370	✓	
Don Artley	DSL		✓	
Madeline Ferguson	DRES	391	✓	
Red Miller	JUSTICE	370	✓	
Gauree Nicks	University System	3	✓	
Paul S. Pope	SELF	391	✓	
James T. Zwierbach	mt. red assn	391	✓	
Keith Wolcott	Institutions	3		
Bill Salisbury	Dept of Highway	3	✓	
Myrna Omholt. Mason	Governor's Ofc	3	—	
Mary Jo Murray	"	3	✓	
Judy Browning	Justice	3	✓	
Carrie Price	IL, A. T. L. L.	370	✓	
Gary Walsh	DRES	391	✓	
Nancy Elley	SRS	391	✓	
Kathy McDonald	MCUHC	391	✓	
BOB KUTTENBERG	DSL			
Marcia Allen	Bd of Realty	112	✓	
Ed Haer	MBCC	SB370	✓	
Bob TURNER	DOR	SB370		✓