

**MINUTES**

**MONTANA SENATE  
53rd LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON PUBLIC HEALTH, WELFARE & SAFETY**

**Call to Order:** By Senator Dorothy Eck, Chair, January 6, 1993,  
at 1:02 p.m.

**ROLL CALL**

**Members Present:**

Sen. Dorothy Eck, Chair (D)  
Sen. Eve Franklin, Vice Chair (D)  
Sen. Chris Christiaens (D)  
Sen. Tom Hager (R)  
Sen. Terry Klampe (D)  
Sen. Kenneth Mesaros (R)  
Sen. David Rye (R)  
Sen. Tom Towe (D)

**Members Excused:** none.

**Members Absent:** none.

**Staff Present:** Susan Fox, Legislative Council  
Laura Turman, Committee Secretary

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

**Committee Business Summary:**

Hearing: SB 6, SB 7  
Executive Action: none.

**Announcements/Discussions:**

During the introduction of Committee members and staff, Chairman Eck emphasized her special interest in legislation dealing with children and families, and noted that the Committee on Public Health, Welfare and Safety would hear the same kinds of issues as the Committee on Human Services in the House. Chairman Eck announced that the Committee would follow general committee procedures and that motions don't need seconds. In addition, Senators may leave a proxy on a vote if they have to be gone, but that only applies to the bill as it was introduced. Proxy does not hold for amended bills. Votes will be held open so that Senators can vote on amended bills when they are present at the committee hearing. Otherwise, senators must check with the Chair if voting by proxy is necessary for a form to sign.

Susan Fox, Legislative Council, announced that she would like the amendments to a bill before the hearing. (Exhibit #1) If the amendments are particularly detailed, executive action may have to be postponed.

The Chair said amendments on the Floor of the Senate should also be given to Susan Fox first so that Ms. Fox can transfer the amendments to the Amendment Clerk.

### HEARING ON SB 6

#### Opening Statement by Sponsor:

Senator Nathe, Senate District 10, Great Falls said he was carrying these bills that came from the Montana State Hospital Committee, the Intern Committee the Legislature appointed after the last session to look at Montana State Hospital conflicts in Galen and Warm Springs.

SB 6 is a recommendation from the Committee to define the role and scope of the Warm Springs unit of the Montana State Hospital complex. He stated that there would be some amendments, and the Department of Corrections and Human Services had some additions. He restated he was carrying SB 6 for the Montana State Hospital Committee.

#### Proponents' Testimony:

Dan Anderson, Administrator of the Mental Health Division of the Department of Corrections and Human Services stated that it is very important for larger institutions to have clearly articulated role and mission. He particularly liked the fact that SB 6 talks specifically of the role of the Warm Springs program and acknowledges that program is a part of a larger program. He offered three "minor" suggested amendments, which he said do not significantly change the meaning of SB 6, they just make the bill a little clearer. (Exhibit #2)

Kelly Morris, Executive Director of the Mental Disability's Board of Visitors, which reviews patient care and treatment at Warm Springs and other community mental health programs. She stated last year's site review report of Montana State Hospital recommended clear the definitions and roles for the State Hospital to develop. A commission statement needs to be developed which addresses the hospital's purpose and the population it serves.

John Shontz, Public Policy Coordinator for the Mental Health Association of Montana, stated that he supports Dan Anderson's amendments. He said that it is very important that institution has gone through in-depth examination over the past two years, and it is being identified through SB 6 as the institutional foundation for the community mental health system in Montana.

Patrick Pope, Director of the Meriweather Lewis Institute, a non-profit organization run by and for mental health consumers. Supports the bill with the amendments of the department. He said it is a step in the right direction for defining the mission of the State Hospital.

Kathy McGowan, representing the Montana Council of Mental Health Center stated that they support SB 6 with the amendment, and it is consistent with their legislative platform.

**Opponents' Testimony:**

None.

**Questions From Committee Members and Responses:**

None.

**Informational Testimony:**

None.

**Closing by Sponsor:**

Sen. Nathe closed.

**Announcement:**

Chairman Eck announced that no executive action would take place on the same day that a bill was heard for the first time unless they were very obviously simple bills.

**HEARING ON SB 7**

**Opening Statement by Sponsor:**

Senator Nathe, Great Falls Senate District 10 said that SB 7 was a suggestion from the Montana State Hospital Committee which composed of 4 members from the Senate, 4 from the House, and 7 more people that were providers and consumers of the services of the Montana State Hospital. SB 7 would add one member to the Regional Mental Health Advisory Board from a facility that provides shelter, food and other services. He had two letters of support for the bill from Billings. (Exhibit 3) Sen. Nathe stated that he supported this bill, but the letters of support seemed to come from Billings. He said that he didn't want to exclude any other region.

**Proponents' Testimony:**

None.

Opponents' Testimony:

John Shontz, Public Policy Coordinator for the Mental Health Association of Montana said that they had concerns with SB 7, and they do not support the bill. When the last legislative session dealt with it, it was a contentious issue among the Mental Health community to change the Boards. The compromise that came out of those discussions is the law as it is in place today. In addition, the bill came late out of Committee, and it was not part of detailed discussions that occurred in front of the Committee. The most troubling aspect of SB 7 is that there are two consumer groups who have mandatory representation on this board; people who are severely mentally ill or disabled, and their family members. The parents of children with emotional disturbances were left out. They do not think that providers should be mandatory members to the board.

Patrick Pope, Director of the Meriweather Lewis Institute served on the Oversight Committee which reviewed the new programs and the transfer of money. The Oversight Committee did a site review of regions 3 and 4 of the relationship between the communities and the regional mental health care centers. They were concerned with the allegations that there was an influx of homeless because of their release from the state hospital. They found no indication that was the case. The people in Billings said that the mental health center in Billings "bends over backwards"; in Butte, the Salvation Army was "very helpful"; in Helena, God's Love was "excellent". Regions 3 and 4 were very committed to cooperating with organizations which provided community services. The Meriweather Lewis Institute has a close relationship with regions 2 and 5 and he knew they were also committed to working with the community. He said this proposal came the very last day the Committee met and there was not enough discussion about recommendations. With the limited resources the Mental Health regions have, they see no reason why they should have to incur the costs of expanding the board of directors.

Chairman Eck requested that Mr. Pope describe the Meriweather Lewis Institute.

Patrick Pope said it is the only non-profit organization in Montana run by and for consumers of mental health services in Montana. Officially incorporated in September of 1992, it provides support for 12 chapters across the state, and serves on state and local committees affecting positive change within the mental health system.

Kathy McGowan, Mental Health Centers, opposed SB 7 for two reasons. First, she agreed with Senator Nathe that the bill addressed one isolated situation, it was not a state-wide problem. It is not good policy to make statutory changes based on isolated situations. Second, she agreed with John Shontz that

the bill was a divisive issue during the last legislative session. She said there were larger bills which should be focused upon during this session. Even though it was divisive, it brought together consumers and providers of mental health services, and having them on the boards has turned out to be a good situation. There was a lot of deliberation and coordination previous to that bill being introduced, two to three years, whereas this bill "came out of nowhere."

**Questions From Committee Members and Responses:**

Sen. Christiaens asked Patrick Pope about his opposition to this bill due to costs. He asked what the costs were to adding members to a non-profit board. Patrick Pope responded that board members' travel expenses cost was high. All centers have a limited budgets.

Senator Christiaens asked Mr. Pope what costs would be incurred by board members' travel within their own district. Patrick Pope replied that all he was aware of was that there would travel costs for hotels. He didn't know specifically the budgets of the mental health centers, so he wasn't qualified to say if there were other costs. He stresses that travel expenses was not the main point of his statement in opposition to SB 7.

Sen. Christiaens stated that it was his understanding that the high cost of board members' travel was one of Mr. Pope's major reason for opposing this bill. Patrick Pope said that this was not the major reason. If he gave that impression, he was sorry. The major opposition to SB 7 is that it hasn't been thought out, and members of the mental health community haven't been called on this issue.

Chairman Eck noted that on page 5, sub 7 of SB 7 it was stated that each member of the board should be reimbursed for travel expenses. Chairman Eck asked Sen. Franklin if she had served on this committee. Senator Eve Franklin, Vice-Chair, said that it was difficult to try and reconstruct the series of events which took place in the previous committee meeting. The members of the Public Health Committee have not had the opportunity to hear previous testimony, and she said that she was hearing some compelling reasons to question the direction of SB 7. She did speak to the chair of the committee and he would also be responsive to the testimony heard today. She was also moved by the issue that Kathy McGowan spoke of regarding the struggle to hammer out an agreement two years ago to get the board going. Sen. Franklin said, "that struggle was not a clear issue to us, and given that, we can't say that it hasn't worked well. The testimony we're hearing is that it is actually moving along."

Chairman Eck said she was given amendments which would move the new language to B rather than A so they would be down where the advocates and health care professionals are. She asked if Sen.

Nathe were aware of that. Sen. Nathe said he was aware that it was being discussed. He thought the offering of the amendment was contingent on how the committee received the bill in the first place. If the Public Health Committee was going to kill SB 7, then there was no need to offer the amendment.

Sen. Eck asked the opponents if SB 7 would be supported with those amendments. John Shontz replied that the Mental Health Association of Montana drafted those amendments. For the members of the Public Health Committee, he said that this issue during the last legislative session "ripped apart the Mental Health Community." It was a concern that SB 7 should be "put behind us", that there was no desire to "reopen this can of worms." If the Public Health Committee feels that SB 7 should move forward, then the amendment that was prepared would reflect the spirit of the law which is that the consumers, the parents of emotionally disturbed children, for sure ought to be the persons sitting on this board, and that providers ought to have the opportunity to serve the board but that be an optional category. He said, "Our first choice is that SB 7 die a sweet, pleasant death in this committee", but if it must go forward, he strongly urges that the committee consider the amendments offered by the Mental Health Association of Montana.

Sen. Klampe, Missoula, stated that he was ignorant on this issue, and he wanted to know what kinds of issues this board addresses, and whether the members with severe and disabling mental illness were effective members of the board. John Shontz, said these boards run the regional mental health centers across Montana. He asked that Kathy McGowan answer Sen. Klampe's question.

Kathy McGowan, said the mental health center boards meet one time per month or once every two months, and they consider everything from the financial structure of the organization to personnel questions. She generally gets the minutes from those meetings which reflect the complicated issues addressed, such as Medicaid and Medicare, as well as the personal issues.

Sen. Klampe asked Ms. McGowan whether the people with severe and disabling mental illness were effective board members. Kathy McGowan said yes, they were effective; mentally ill board members provided another perspective to the board. It varies from person to person, but it has added another perspective to the boards, because the boards are mostly county commissioners and they have been able to learn about the nature of mental illness. They help to make the programs a lot more responsive to the family members and to the consumers.

Sen. Christiaens asked for compelling reasons why SB 7 was not an appropriate bill, other than cost for meetings, most of which are not overnight. Kathy Standard, President of the Meriweather Lewis Institute replied that everything is working well now as it is, and boards shouldn't be forced to change.

Sen. Franklin said that there were no compelling reasons to support SB 7 because there were no proponents here at the Committee hearing now.

Sen. Rye stated that the messages he had received opposing SB 7 are from places other than Billings, while the only messages he had received in support of SB 7 came from Billings. He asked Sen. Nathe their grievance in Billings couldn't be solved at the local level without legislation.

Sen. Nathe stated that he had no pride in the authorship of this bill. If he "couldn't sell it, it should die." Sen. Nathe stated that this was a bill that came out of the Montana State Hospital Committee meeting, and he was not at that meeting when this was voted upon. There were members on the committee covering all aspects of mental health, so everybody had input in that committee. Sherry Heffelfinger, the researcher, needed to get these bills going, so Sen. Nathe agreed to carry this bill. There must be a problem in that region because the letters of support for SB 7 that he has received are from Billings. He didn't know if the problem could be solved in that region. Mona Sumner and the Rimrock Foundation are saying that the Montana Legislature should look at it. Maybe there are similar problems elsewhere in the state.

Chairman Eck said that collaboration in the mental health field is a major issue, and in many regions the mental health agency is the focus for getting groups to collaborate on local problems regarding children and youth, for example. Now we're looking at prevention as one whole issue whether you're trying to do prevention work in the mental health area or the drug and alcohol, or teenage pregnancy, or whatever. Agencies need to work together. Chairman Eck stated that there are groups in Billings that try to collaborate and there's no way that a mental health group can have everyone on the board who might be concerned.

Chairman Eck stated that SB 7 wouldn't be acted upon today. She told the members of the Public Health committee that if they had connections to the council and the board in that area that they be sure that these people are heard at this committee's hearings.

Sen. Klampe asked the Chair if people were aware of the Committee meetings. Chairman Eck replied that Sherry Heffelfinger had notified a proponent of today's meeting, but she couldn't come. It is important to hear from her or someone else from Billings. Chairman Eck said that executive action would not be taken until the Public Health Committee could hear from Marion Dozier or one of the Billings supporters.

Sen. Christiaens requested a copy of the minutes of the board meeting to see how this particular bill draft came about. More information would be available to help the members of Public Health Committee make a decision.

**Closing by Sponsor:**

Sen. Nathe said he appreciated the questions and the discussion regarding SB 7. He again stated that he was not "hung up" on authorship of this bill.

Chairman Eck said that no executive action would be taken on SB 7. She said that Sherry Heffelfinger would be asked to come to testify on SB 7, as well as letters of support for SB 7 from Billings would be brought to the meeting. She stated that a letter from Marion Dozier was the only letter of support she had received.

**ADJOURNMENT**

**Adjournment:** Meeting adjourned at 2:00.



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SENATOR DOROTHY ECK, Chair



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LAURA TURMAN, Secretary

DE/LT



ROLL CALL

SENATE COMMITTEE Public Health DATE 1-6-93

| NAME         | PRESENT | ABSENT | EXCUSED |
|--------------|---------|--------|---------|
| CHRISTIAENIS | ✓       |        |         |
| HAGER        | ✓       |        |         |
| KLAMPE       | ✓       |        |         |
| MESAROS      | ✓       |        |         |
| RYE          | ✓       |        |         |
| TOWE         | ✓       |        |         |
| FRANKLIN     | ✓       |        |         |
| ECK          | ✓       |        |         |
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F08

Attach to each day's minutes



House Members  
 RED MENAHAN  
 CHAIRMAN  
 JAN BROWN  
 MARY LOU PETERSON  
 JIM RICE

Researchers  
 CONNIE ERICKSON  
 SUSAN FOX  
 TOM GOMEZ  
 SHERI S. HEFFELFINGER  
 JEFF MARTIN  
 ANDREA MERRILL

## Montana Legislative Council

### Research and Reference Services

Room 138 • State Capitol  
 Helena, Montana 59620-1706  
 (406) 444-3064  
 FAX (406) 444-3036

January 6, 1993

TO: Members of the Senate Public Health, Welfare, and Safety Committee

From: Susan Fox, Staff Researcher

Re: Scope of Committee Staffing Duties

#### I. Amendments

- A. I will review all amendments adopted or to be adopted by the committee with the same bill drafting guidelines applied to the original bill. If I receive amendments which will be proposed prior to the hearing, I can have them prepared and ready to be adopted by the hearing. If I receive them at the hearing, I will need one day to review the amendment for all but the most simple amendments.
- B. Prior to committee action on a bill, I will draft proposed amendments for committee members.
- C. I will draft proposed amendments to be moved on Second Reading.

#### II. Statements of Intent

When necessary, I will draft a statement of intent or obtain a statement of intent from the affected or requesting agency.

#### III. Committee Bills

Upon an adopted motion by the committee, I will submit a drafting request for and draft committee bills.

#### IV. Review proposed legislation

Prior to committee consideration of a bill, I will review the proposed legislation for constitutionality, internal consistency, conflict with or duplication of existing statutory provisions, and compliance with general bill drafting requirements.

Senate Members  
 GARY C. AKLESTAD  
 VICE CHAIRMAN  
 DELWYN GAGE  
 MIKE HALLIGAN  
 J.D. LYNCH

Executive Director  
 ROBERT B. PERSON

Division Director  
 DAVID D. BOHYER

Library  
 BETH FURBUSH  
 NANCY ZALUTSKY  
 RITA GIBSON

V. Subcommittee meetings

When requested by the chair of the committee or subcommittee, I will attend subcommittee meetings and perform the same functions as for the committee.

VI. Conference committee and free conference committee meetings

When requested, I will attend conference committee or free conference committee meetings to perform same functions as for committees.

VII. Research

I will assist the committee or individual members in obtaining data or other pertinent information that pertains to bills under deliberation.

VIII. Assist Secretary

I will coordinate the effort for reviewing minutes and amendments, if desired.

The following are proposed department amendments to SB 6

Page 3, Line 3  
Delete "a"

Page 3, Line 4  
Delete "system of care"  
Substitute: "programs"

Page 3, line 7  
Delete: "severely mentally disabled persons"  
Substitute: "persons with severe mental illness"

SENATE HEALTH & WELFARE  
EXHIBIT NO. 2  
DATE 1-6-92  
BILL NO. SB 6

SENATE HEALTH & WELFARE

EXHIBIT NO. 3

DATE 1-6-93

BILL NO. SB 7



1824 1st Avenue North - Billings, Montana 59101 - Phone: 259-2269

LINDA ROBBINS  
EXECUTIVE DIRECTOR

TRAVELERS AID  
REPRESENTATIVE

Senator Dennis Nathe  
Capitol Station  
P. O. Box 85  
Helena, Montana 59620

Dear Senator Nathe,

I am writing to add my support to the ammendment of Senate Bill 7 to include a person from the non-profit field of organizations.

We in the non-profit field work with those who are mentally and emotionally handicapped daily on emergency basis. We are called upon to help them with rents, food, daily living expenses and especially assistance in getting their prescriptions.

We feel as though there should be someone who works with these people at ground level on this board. The need for organizations such as Family Service, Inc. to have some input into how to expand the Mental Health assistance for the Mentally Ill is imperative. To be able to add our input of what we see as a basic need. We see them when they have nothing and are waiting for assistance from Welfare or Mental Health. We need to know what is going on and where to refer these people for longer term help and how to get them into the longer term help. We have an ongoing working relationship with the Welfare. It is a shame to refuse some of these of needed prescriptions and have them back in the Mental Health facilities because no one could help with their medications.

At the moment, we can call the Welfare and get any information needed for us to continue helping those who are in need. That Board needs someone who has worked with these people daily and knows their physical needs along with realizing they need Mental help.

Please take into consideration the thought that this Board not only needs those who have close relationships with the Mentally Ill, but needs someone who has helped feed them, clothe them, and filled their emergency needs.

Thank you for all your hard work on this committee. Thanks for caring.

Sincerely,

Yellowstone County  
**Homeless**  
P R O J E C T

January 4, 1993

Marion Dozier  
President

Lynn Davis-Rightmire  
YWCA Women's Center  
Vice President

Lauretta Adolph  
REO  
Secretary

Kathleen Hanley  
Job Service  
Treasurer

Leslie Bracey  
Tumbleweed

Lucy Brown  
Housing Authority

Steven Cross  
His Empire TV

Dave Cunningham  
Rimrock Foundation

Gary Drake  
Rescue Mission

Don Foster  
St. Vincent DePaul

LaVonne Peck  
HRDC

Gwen Pederson  
Mental Health Center

Joyce Putschi  
Adult Learning Center

Barbara Rightmire  
Community at Large

Linda Robbins  
Family Service, Inc.

Mary Ann Roberts  
Gateway House

Carolyn Hamlin Wenger  
MSU - Nursing School

Tim Whalen  
Attorney

June Luptack  
Deering Clinic

Senator Dennis Nathe  
Capitol Station  
P. O. Box 85  
Helena, MT 59620

Dear Senator Nathe,

As president of the Yellowstone County Homeless Project I would like to urge you to support Senate Bill number 7.

It is so very important that we have a community agency person or a person from the Yellowstone County Homeless Project Board sit on the Mental Health Board.

The agencies represented on the homeless board are very much impacted by the mentally ill people who can not manage their lives or their money; and are therefore unable to pay for housing, medication or food.

Our small budgets cannot continue to meet the demands of these people.

Our agencies should have some representation or at least have one person from these agencies sit on the Mental Health Board to keep these issues before the board.

Please continue to support Senate Bill 7.

If you have any questions please do not hesitate to call me at these numbers (W)248-1477 - (H)245-7743. Thank you for serving in this often thank-less business of state politics.

Sincerely,

*Marion Dozier*  
Marion Dozier  
President



## Committee on the Montana State Hospital

### LEGISLATIVE MEMBERS

SEN. JOHN (J.D.) LYNCH, CHAIRMAN  
REP. CHARLOTTE K. (CHAR) MESSMORE, VICE CHAIRMAN  
SEN. THOMAS KEATING  
SEN. EVE FRANKLIN  
SEN. DENNIS NATHE  
REP. GARY BECK  
REP. DON STEPLER  
REP. CHARLES (CHUCK) SWYSGOOD

### EX OFFICIO MEMBERS

CURT CHISHOLM  
JULIA ROBINSON  
JANE EDWARDS  
HANK HUDSON  
APPOINTED MEMBERS  
MARTHA "MARTY" ONISHUK  
JACK HAFHEY  
MONA SUMNER

### COMMITTEE STAFF

SHERI HEFFELFINGER  
RESEARCHER  
DAVID NISS  
ATTORNEY

*Exhibit #3*  
*1-6-93*  
*SB-6+7*

## MINUTES

September 29, 1992 Meeting  
Room 104, State Capitol Building

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed. Exhibits and tapes are on file in the offices of the Legislative Council.

### COMMITTEE MEMBERS PRESENT

Sen. John "J.D." Lynch (Chairman)  
Rep. Charlotte K. "Char" Messmore (Vice Chairperson)  
Sen. Eve Franklin  
Rep. Gary Beck  
Curt Chisholm  
Jane Edwards  
Julia Robinson  
Hank Hudson  
Martha "Marty" Onishuk  
Mona Sumner  
Jack Haffey

### COMMITTEE MEMBERS EXCUSED

Sen. Thomas (Tom) Keating  
Sen. Dennis Nathe  
Rep. Don Stepler  
Rep. Charles Swysgood

### STAFF PRESENT

Sheri Heffelfinger, Staff Researcher  
David Niss, Staff Attorney  
Lois O'Connor, Secretary

## VISITORS

Visitors' list, Attachment #1.

## COMMITTEE ACTION

- Approved the minutes of the August 18, 1992, meeting.
- Committee recommendation that sample bill draft LCMSH3--providing a new section of law describing the purpose of the Montana State Hospital as articulated by a previously approved Committee motion--be a joint resolution. (Unanimous)
- Recommended that sample bill draft LCMSH5--providing that a representative of community support services be included on the membership of the regional mental health boards--be a Committee bill. (Unanimous)
- Recommended that sample bill draft LCMSH7--authorizing county attorneys to file petitions for the involuntary commitment of alcoholics-- be a Committee bill. (Sen. Nathe voting no; Rep. Stepler absent.)
- Approved a Committee recommendation stating that the Committee has identified numerous unmet needs for mental health and substance abuse systems. If the Legislature should choose to change the role of Galen and Warm Springs resulting a general fund savings, those funds should be used to improve Montana's mental health and chemical dependency system in recognition of the fiscal and personal impact of the changes at the MSH on residents of Silver Bow, Deer Lodge, and Powell Counties. (Unanimous)
- Committee recommendation that the Governor be asked to establish a public/private planning consortium to reduce the number of children and adolescents in out-of-state placements for mental health services and to complete the development of the in state continuum of care for children with serious emotional and mental problems. (Unanimous)
- Committee recommendation that alternative services for the head-injured be developed off the Warm Springs campus. (Unanimous)
- Committee recommendation that the mental health and substance abuse planning be included under the umbrella of health planning activities. (Unanimous)
- Committee endorsement of a proposal by the Department of Corrections and Human Services (DCHS) to get money of sufficient size through the Long-Range Building Committee to hire an architectural firm to develop a 10-year master plan for reconstructing the MSH at either the Galen or Warm Springs campus. (Unanimous)



Exhibit 3  
1-6-93  
SB 6 + 7

request that the 53rd Legislature take an objective look at the cost of upgrading buildings and managing the physical plant at Galen versus the cost of operating the same treatment program locally in a community such as Butte or on the Warm Springs campus.

The Institute is in support of two Committee recommendations concerning the mental health services but expressed its concerns on the alternative uses. The Institute believes that the Department of Corrections and Human Services (DCHS) should not be expected to administer or use its funds for the development of any programs or services that are not consistent with the current mission of the MSH. The Institute also opposed the creation of a children's unit on either the Warm Springs or Galen campus.

**Joan-Nell MacFadden, Mental Health Association of Montana**, provided written testimony. EXHIBIT #3 She said the Mental Health Association of Montana's Board of Director's position is that any money saved from reorganization of the MSH must remain in the service delivery system to help provide for unmet treatment needs. The money must not be used simply to balance the budget.

**Marianne Dozier, Chairman, Yellowstone County Homeless Project, Billings**, said the Project represents 17 agencies that work to serve the homeless in Billings. She told a story of a 23-year old schizophrenic man who had been at Warm Springs and released two times. She spoke on the deinstitutionalizing and the impacts it has on the agencies and the communities that must care for the homeless. She said patients are released from a hospital or institution, and there is no way to monitor what the former patients do with their SSI or Social Security checks; when their checks are lost, they have no way to pay for rent or food and so end up at the homeless shelters.

Ms. Dozier said rescue missions are not equipped to care for mentally ill people. Unless the mentally ill are taking their medication and reasonably under control, a shelter has no option but to turn the mentally ill back on to the streets. There is no emergency mental health treatment facility to send the mentally ill people to when they have psychotic episodes. They can go to Deaconess Hospital, but it is very expensive. There is also the

problem of housing. She said the Department of Family Services paid the rent for 203 families since the first of the year.

Ms. Dozier said that case management is very important for the mentally ill and the homeless, but the mental health center has a ratio of 1 caseworker to 25 clients. The rescue mission has served 1,100 people--75 percent were chronic drug users, have chronic alcoholism, or are mentally ill. If the state is intent on downsizing the MSH, then the money for the patient's care should follow the patient to his home community, and the money should be used for direct services. If the Committee is trying to save state dollars and trying to put the problems on to the local communities, which can least afford them, she questioned the function of the Committee and what it is doing in closing Warm Springs.

**Don Foster, Billings,** said in 1975, when he served on the Senate Finance Committee, the Committee said that the services of people can be met for less money in the local communities than in institutions. He did not feel this statement true. Cutting the cost of institutions and deinstitutionalizing the patients is pushing the burden on to the local communities; and if anything, more services should be funded. The only thing the local communities can do is make deinstitutionalized patients productive citizens. The cost of those patients is back on local communities because these people need special services. Mr. Foster said the solution is for the Committee to work with communities to get federal dollars into Montana, extend the staff for pilot projects, and broaden the scope of mental health services.

#### TREATMENT OPTIONS FOR THE HEAD INJURED

**Julia Robinson, Director, Department of Social and Rehabilitation Services (SRS),** presented a proposal for home and community-service group homes. EXHIBIT #4 She also gave an overview of what she would like to see take place in Montana for the head injured patient. She said her vision for the Committee was that it reach an agreement on a compromise that would improve institutional-based and community-based services.

**Draft Bill LCMSH5**

Mona Sumner said that LCMSH5--a representative of community support services be included on each regional mental health board--speaks to the concern of deinstitutionalized patients who wind up in homeless situations. The community network of service providers do not have a mechanism by which they are able to impact resource allocations in terms of funding for those patients who are returning to the community mental health centers. Currently, mental health center boards are required to have a county commissioner and consumer representative. However, there is nothing that states that as part of the community-based planning, service providers will be included in the planning for resource allocation.

**COMMITTEE ACTION**

Ms. Sumner **MOVED** that LCMSH5 be recommended as a Committee bill.

Rep. Messmore said LCMSH5 was a very good idea. She said in the last session, she carried a bill to make it absolutely assured that primary and secondary consumers would be on all of the mental health center boards; and there was a contingency from Billings who opposed this bill. She asked Ms. Sumner to work in the Billings area to overcome similar of resistance to the proposed bill.

Motion that LCMSH5 be recommended as a Committee bill passed unanimously.

**Draft Bill LCMSH6**

Ms. Sumner said LCMSH6--requires the DCHS to adopt rules to ensure that residential treatment of alcoholics at the MSH is available to persons from all counties in numbers substantially proportionate to the population of the county--comes from the issue dealing with the waiting list at the alcohol and drug abuse treatment program at Galen. The waiting list is going to continue to be an issue, even with the proposed reorganization. When the disproportionate utilization by proximate counties is reviewed, she believes that the DCHS will need to adopt some policy on how it is going to manage the waiting list to assure access to the treatment program and to disallow disproportionate utilization. The

DATE 1/6/93

SENATE COMMITTEE ON PUBLIC HEALTH

BILLS BEING HEARD TODAY: SB 6 + SB 7

| Name           | Representing              | Bill No. | Check One<br>Support Oppose         |                          |
|----------------|---------------------------|----------|-------------------------------------|--------------------------|
| Judith Gedrose | NHES                      | SB 6     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Todd Thon      | NINA                      | SB       | <input type="checkbox"/>            | <input type="checkbox"/> |
| Roy Linder     | MIT Nurses                | SB 6-7   | <input type="checkbox"/>            | <input type="checkbox"/> |
| John Wang      | AFSCME                    | SB 6-7   | <input type="checkbox"/>            | <input type="checkbox"/> |
| Kathy McGowan  | MCMHC                     | SB 6-7   | <input type="checkbox"/>            | <input type="checkbox"/> |
| PAT TIPS       | MERLWATER LEWIS INSTITUTE | SB 6-7   | <input type="checkbox"/>            | <input type="checkbox"/> |
| Kelly Moore    | Board of Visitors         | SB 6-7   | <input type="checkbox"/>            | <input type="checkbox"/> |
| Staci Riley    | MT Fed. Health Care       | SB 6     | <input type="checkbox"/>            | <input type="checkbox"/> |
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**VISITOR REGISTER**

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

DATE 1-6-92

Public Health

SENATE COMMITTEE ON \_\_\_\_\_

~~Public Health~~

BILLS BEING HEARD TODAY: SB 6, SB 7

|             |                     |             |                        |                       |
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|             |                     | <b>Bill</b> | <b>Check One</b>       |                       |
| <b>Name</b> | <b>Representing</b> | <b>No.</b>  | <small>Support</small> | <small>Oppose</small> |

| John Shantz  | MHAM          | 7 |              | ^ |
|--------------|---------------|---|--------------|---|
| John Shantz  | MHAM          | 6 | <del>X</del> |   |
| Dan Andersen | MH Divic DCIS | 6 | X            |   |
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### VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

DATE 1-8-93

SENATE COMMITTEE ON Public Health

BILLS BEING HEARD TODAY: SB 627

| Name     | Representing | Bill No. | Check One |        |
|----------|--------------|----------|-----------|--------|
|          |              |          | Support   | Oppose |
| Jay Math | M.H.A.M.     |          |           |        |
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VISITOR REGISTER

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