

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 53rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES & AGING

Call to Order: By CHAIRMAN BILL BOHARSKI, on January 13, 1993,
at 3:00 p.m.

ROLL CALL

Members Present:

Rep. Bill Boharski, Chair (R)
Rep. Bruce Simon, Vice Chair (R)
Rep. Stella Jean Hansen, Vice Chair (D)
Rep. Beverly Barnhart (D)
Rep. Ellen Bergman (R)
Rep. Tim Dowell (D)
Rep. Duane Grimes (R)
Rep. Brad Molnar (R)
Rep. Tom Nelson (R)
Rep. Sheila Rice (D)
Rep. Angela Russell (D)
Rep. Tim Sayles (R)
Rep. Liz Smith (R)
Rep. Carolyn Squires (D)
Rep. Bill Strizich (D)

Members Excused: Rep. John Bohlinger

Members Absent: None

Staff Present: David Niss, Legislative Council
Alyce Rice, Committee Secretary

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

Committee Business Summary:

Hearing: HB 135, HB 124, HB 118
Executive Action: HB 27

HEARING ON HB 135

Opening Statement by Sponsor:

REP. JOHN COBB, House District 42, Augusta, explained that HB 135 is an act transferring child care planning, coordination, and payment functions from the Department of Family Services (DFS) to the Department of Social and Rehabilitation Services (SRS), by request of the two departments. This bill basically puts all

child care programs under one department for better management. One issue is that resource and referral people are concerned about their functions being moved to SRS. He recommended putting the bill in a subcommittee in order to work out any problems they may have.

Proponents' Testimony:

Roger LaVoie, Administrator, Family Assistance Division, Social Rehabilitation Services (SRS), said it would be more efficient to transfer the daycare services under one agency. He said SRS plans to build a computer system to tie in with the existing computer system, which would be more efficient than building a separate computer system and having to link in with the computer system used for their welfare system. He said he plans to invite special interest groups to a meeting in order to alleviate any concerns they might have.

Judith Carlson, Human Resources Development Council Directors' Association, said the association would like to see daycare tied in with the JOBS program which is in SRS. She said the bill seems to give that integration and coordination of the key supportive service to people getting jobs and moving out of the welfare system. She urged passage of the bill.

Kate Lovell, Montana Women's Lobby, said the association supports HB 135 and asked that the committee that is formed maintain the integrity of the block grant by not supplanting any state funds; by recognizing the block grant task force overseeing this grant; and by recognizing the role of the resource and referral designated in the child care block grant.

Opponents' Testimony:

Sandy Bailey, Resource and Referral Network, said the network had some concerns about HB 135. EXHIBIT 1.

Questions From Committee Members and Responses:

REP. BEVERLY BARNHART requested that someone address the concerns as stated by Ms. Bailey. Hank Hudson, Director, Department of Family Services (DFS), said that when the proposal to transfer daycare to SRS was put together, the committee envisioned one department having the responsibility for the majority of daycare programs, so there would be more of a central focus. SRS would be able to implement a computerized automated management system for daycare by using federal funds that are not available to DFS. The committee did not intend to change the role of resource and referral, or reduce the amount of daycare.

REP. CAROLYN SQUIRES said there were several task force groups dealing with daycare, and asked Mr. Hudson why none of these groups were advised of the program transfer. Mr. Hudson, replied

that the change of administration in the departments could have been the cause.

REP. SQUIRES asked Mr. Hudson if there were guidelines as to how the block grant money can be used for child care. She expressed concern about commingling money that goes to resource and referral. Mr. Hudson said there are federal guidelines as to how the money can be used. REP. SQUIRES asked Mr. Hudson if the block grant money could be used for seed money to get additional federal funds if it was going to be used for the same thing. Boyce Fowler, DFS, replied that there isn't a match requirement.

REP. SQUIRES asked Ms. Carlson to explain her comment that HRDC liked the program transfer because it would be close to the JOBS program, and wanted to know if she thought the dollars would be crossing. Ms. Carlson said she meant that the administration of the money would be easier. REP. SQUIRES asked Mr. LaVoie to comment on the subject. Mr. LaVoie said that the department has no intentions of using the block grant money for anything other than its purpose. The department intends to keep the resource and referral agencies operative and plans to form a partnership with resource and referral to design the future of the daycare system. REP. SQUIRES asked if he could put that in writing to resource and referral. Mr. LaVoie replied that he would sign it.

REP. RUSSELL asked Mr. Hudson if money would be saved by the move. Mr. Hudson said he didn't believe any money would actually be saved. REP. RUSSELL asked Mr. Hudson if DFS was being phased back into SRS. Mr. Hudson replied he didn't think that was part of the plan.

REP. SQUIRES requested Mr. Hudson ask the key members from the task force groups to attend the meeting when it has been scheduled.

CHAIRMAN BOHARSKI informed Mr. Hudson and Mr. LaVoie he would like to have REP. TOM NELSON, REP. BEVERLY BARNHART, and REP. TIM SAYLES invited to the meeting.

CHAIRMAN BOHARSKI asked REP. COBB if a fiscal note explaining which money is being moved, and what it is being used for would be appropriate for the bill. REP. COBB said that in the next few days he should have something showing how the money is going to be moved.

Closing by Sponsor:

REP COBB closed.

HEARING ON HB 124Opening Statement by Sponsor:

REP. ED MCCAFFREE, House District 27, Forsyth, explained that HB 124 is an act requiring an adult child to pay burial, entombment, or cremation costs for an indigent parent; allowing a county, or the state to seek reimbursement of costs for burial, entombment, or cremation of an indigent. It is estimated that Social and Rehabilitation Services will pay for approximately 188 burials for indigent individuals in each year of the next biennium at an annual cost of \$190,000. The adult child can be excused if there has been a history of neglect or abuse. There is also an exception in the bill which addresses the child's financial ability to pay. If the county or state pays for the burial, the county or state can seek reimbursement from the adult child.

Proponents' Testimony:

Donna Haggem, Commissioner, Fergus County, Montana Association of Counties (MACo), said information she received from SRS showed that last year the cost of burial for an indigent in state assumed counties was over \$230,000. She said there is an increase in county burial requests. She stated the funeral home director should be responsible for asking the children how they intend to pay for the funeral. If the children say they don't have any money, the funeral home director should send them to the human services office or the county welfare office where they can apply for county burial. The application can be approved or denied by the board. Fergus County Commissioners and MACo request a recommendation of do pass on HB 124.

Gordon Morris, Director, Montana Association of Counties (MACo), pointed out that HB 124 does not require a fiscal note. He said the bill would help the counties get some of their money back. He also stated that a child who has severed the parental linkage through the court would not be liable for funeral expenses. The county attorney would instigate civil procedures against the child if it has been determined the child is financially liable. MACo requests a do pass on HB 124.

Rick Evans, Montana Funeral Directors Association (MFDA), said the association is in favor of HB 124, however, it does need an amendment. If, for example, the child has \$80 in a checking account that amount will be withheld from the funeral home's payment. The funeral director has no way of getting the \$80 out of the account and must charge it off. His funeral home lost almost \$1,500 last year in money it couldn't collect.

Bonnie Tippy, Montana Funeral Directors Association (MFDA), requested that the committee consider some amendments to HB 124 which would clarify how payment for indigent funerals is handled. Exhibit 2.

Opponents' Testimony:

None

Questions from Committee Members and Responses:

REP. MOLNAR asked Mr. Morris how a determination is made to either bury or cremate a deceased indigent. Mr. Morris said if instructions were left by the individual the funeral home would follow those instructions. If there were wishes of a family member, absence of instructions of the parent, the funeral home would follow the wishes of the child. If there were no instructions, the funeral home would use the most economical method, and that would be cremation.

REP. SQUIRES told Mr. Morris that it was her understanding cremation was not always the most cost effective method. In rural Montana disposal of the deceased is more costly because there are no close crematoriums so they are buried in caskets.

REP. BERGMAN said in Custer County funeral directors receive \$750 for burial of an indigent and in Yellowstone County they receive \$1,800. She asked Ms. Tippy why the prices were different. Ms. Tippy said that every county negotiates separately. REP. BERGMAN asked Ms. Tippy where the money came from. Ms. Tippy said in state assumed counties the money comes from Medicaid. CHAIRMAN BOHARSKI said there are twelve counties in the state that pay twelve mills to the Department of Social and Rehabilitation Services, thereby having the state basically assume the welfare costs, so in those twelve counties the state would cover the cost. In the other forty-four counties, the poor fund would cover the cost.

REP. DOWELL asked REP. McCAFFREE if he had seen the amendments to HB 124. REP. McCAFFREE replied they were on his desk but he hadn't had the opportunity to review them.

REP. DOWELL asked Mr. Morris if he thought the amendments would solve the problem of funeral homes having to pursue the personal assets of a deceased indigent. Mr. Morris said if funeral homes are negotiating with the counties, pursuance of the assets should be negotiated in the contracts with the counties and not be part of the state law.

REP. BRUCE SIMON asked Mr. Morris if he was aware of counties that are making the adult children pay for medical costs, food, clothing, shelter, etc., for indigent parents as set forth in section 1, which deals with title 40. Mr. Morris said that counties are making a vigorous effort to go after children when it is determined they have the means to take care of their parents.

REP. SIMON asked Ms. Haggem what kind of action Fergus County was taking to enforce the duty of children to support indigent parents. Ms. Haggem replied that many times the county is not aware of the existence of children until after the death of a parent. The county is trying to at least make the children responsible for the burial. REP. SIMON said he wasn't sure that taking civil action against someone from out of state to collect burial expenses would be worth the trouble unless it also included medical costs, etc. Ms. Haggem replied that the county was pursuing one issue at a time and if it's determined the child has the financial ability to take care of some of the past expenses of a parent on assistance, it would have to be determined at that point if it was worth pursuing.

REP. HANSEN asked Mr. Morris to define child. Mr. Morris said he thought the definition of child would be a blood descendent, adopted child, or stepchild.

REP. BERGMAN asked Mr. Morris why it was the funeral director's responsibility to track down money and asked if the county wouldn't have more expertise in tracking down the money. Mr. Morris said that should be an issue spelled out in the contract. He said he didn't intend to imply that the bill transferred the responsibility of going after the assets of a child to a funeral home. The funeral home would receive their money, regardless. The county or state would have the obligation to pursue whatever assets were discovered. If the funeral home director doesn't have that spelled out in the contract he would get exactly what he deserved.

REP. SIMON talked about Mr. Evans' comment that the type of service would depend on the wishes of the departed, and asked Mr. Evans what the procedures would be when the family wasn't paying the expenses. Mr. Evans said the funeral home didn't have to abide by the deceased's preference of burial. He said the children dictate to the funeral director how the deceased is to be taken care of. REP. SIMON asked Mr. Evans which would be less expensive, a burial of an indigent or cremation. Mr. Evans replied that cremation would be less expensive for the state and more profitable for the funeral director. REP. SIMON asked Mr. Evans how the family could decide on the type of funeral when the state or county was paying for it. He said it seemed that the state or county should be able to make that decision in the best interest of the taxpayer. Mr. Evans and Ms. Tippy both replied that is how the law reads. The children have the legal right to decide how to dispose of a loved one.

CHAIRMAN BOHARSKI asked Mr. Morris if all counties had a contract with funeral directors or a group of funeral directors. Mr. Morris replied that Ms. Tippy indicated in her testimony there were contracts in every county. He added that in state assumed counties the contract wouldn't be with the county, it would be with the state. CHAIRMAN BOHARSKI asked Mr. Morris if a county paid for a burial in a non-state assumed county, and found that

the deceased had a savings account with a lot of money in it, if there was some method used to retrieve that money. **Mr. Morris** replied the county would have civil recourse to go after assets of a child identified as having attachable assets. **CHAIRMAN BOHARSKI** asked **Mr. Morris** if, assuming the bill didn't pass, under current circumstances, money is found in a deceased indigent's account, would the counties have any recourse, since the bill has already been paid. **Mr. Morris** replied that eligibility determination is being made by the welfare office for all assistance the county would provide. If it is determined upon death that the individual had assets that had not been identified during the eligibility determination, the county could proceed under civil authority to recover costs.

Mr. Evans commented that he had a case that was a proven welfare burial. The individual was buried and five days later D. A. Davidson called and said the individual had \$35,000 in an account. **Mr. Evans** called the county and was told that they didn't want anything to do with the money.

Closing by Sponsor:

REP. McCAFFREE closed.

HEARING ON HB 118

Opening Statement by Sponsor:

REP. VICKI COCCHIARELLA, House District 59, Missoula, stated HB 118 allows regulation of sick child care facilities and regulation of in-home care of children and allowing benefits for those children who are in those facilities. She also said there would be amendments to the bill.

Proponents' Testimony:

John Melcher, Jr., Staff Attorney, Department of Family Services (DFS) read testimony. EXHIBIT 3.

Kay Frey, Counselor, Department of Family Services read testimony. EXHIBIT 4.

Sandy Bailey, Montana Resource and Referral Network, said it is important to include sick child care in the bill because sick child care facilities are now operating without any regulations. Ms. Bailey supports HB 118.

Opponents' Testimony:

None

Questions from Committee Members and Responses:

REP. SIMON asked Mr. Melcher why "an out-of-home" place was added to the bill. Mr. Melcher explained that "out-of-home" is deleted out of the provision directly preceding the one in question. The amendment proposes to place where "out-of-home" is being deleted, "daycare or child care means supplemental parental care for children provided by an adult other than a parent, guardian, person in loco parentis or a relative, on a regular basis for daily periods of less than 24 hours".

REP. SIMON referred to section 1, line 21, "Daycare center means an out of home place in which daycare is provided to 13 or more children on a regular basis", and asked Mr. Melcher what would happen if a facility took in outside children as well as their own; if there were thirteen or more, would their own children be counted. Mr. Melcher said that the children would be counted if they were under the age of six.

REP. SIMON stated that daycare centers start at thirteen or more children, and family daycare homes provide for six children from separate families. He asked Mr. Melcher what facility fits in between thirteen children and six children. Mr. Melcher replied that group daycare homes fit in between the thirteen and six children facilities.

REP. BOHARSKI asked Mr. Melcher why a home that has thirteen children under the age of six, doesn't exist under the law. Mr. Melcher said that the state shouldn't be devoting a lot of resources to setting up an in-home care program for such a small group. There hasn't been a proven demand for it.

Closing by Sponsor:

REP. COCCHIARELLA said the bill provides the regulations for situations which are not regulated. HB 118 keeps people in the work place and sick children out of group homes and day care. She urged passage of the bill.

EXECUTIVE ACTION ON HB 27

Motion: REP. SQUIRES MOVED HB 27 DO PASS.

Motion/Vote: REP. SQUIRES moved to adopt the amendment. Voice vote was taken. Motion carried unanimously.

Motion/Vote: Motion/Vote: REP SQUIRES MOVED HB 27 DO PASS AS AMENDED. REP. SIMON called the question. Voice vote was taken. Motion carried unanimously.

Vote: HB 27 DO PASS AS AMENDED.

Vote: HB 27 DO PASS AS AMENDED.

ADJOURNMENT

Adjournment: 4:50 p.m.

Wm E Boharski

WILLIAM BOHARSKI, Chair

Alyce Rice

ALYCE RICE, Secretary

WB/ar

HOUSE OF REPRESENTATIVES

HUMAN SERVICES AND AGING

COMMITTEE

ROLL CALL

DATE 1-13-93

NAME	PRESENT	ABSENT	EXCUSED
REP. BILL BOHARSKI, CHAIRMAN	✓		
REP. BRUCE SIMON, VICE CHAIRMAN	✓		
REP. STELLA JEAN HANSEN, V. CHAIR	✓		
REP. BEVERLY BARNHART	✓		
REP. ELLEN BERGMAN	✓		
REP. JOHN BOHLINGER			✓
REP. TIM DOWELL	✓		
REP. DUANE GRIMES	✓		
REP. BRAD MOLNAR	✓		
REP. TOM NELSON	✓		
REP. SHEILA RICE	✓		
REP. ANGELA RUSSELL	✓		
REP. TIM SAYLES	✓		
REP. LIZ SMITH	✓		
REP. CAROLYN SQUIRES	✓		
REP. BILL STRIZICH	✓		

HOUSE STANDING COMMITTEE REPORT

January 15, 1993

Page 1 of 2

Mr. Speaker: We, the committee on Human Services and Aging report that House Bill 27 (first reading copy -- white) do pass as amended.

Signed: Wm E Boharski
Bill Boharski, Chair

And, that such amendments read:

1. Title, line 5.

Following: "AN ACT"

Insert: "RELATING TO LICENSING OF RESPIRATORY CARE
PRACTITIONERS;"

2. Title, line 7.

Following: "THERAPY;"

Insert: "PROVIDING QUALIFICATIONS FOR A TEMPORARY PERMIT;"

Strike: "SECTION"

Insert: "SECTIONS"

Following: "37-28-203"

Insert: "AND 37-28-206"

3. Page 2.

Following: line 1

Insert: "Section 2. Section 37-28-206, MCA, is amended to read:

"37-28-206. Temporary permit. (1) The board may issue a temporary permit to practice respiratory care for a period of 1 year, pending receipt of an application for licensure and upon payment of a temporary permit fee in an amount established by the board. To receive the permit, the applicant shall demonstrate in writing, confirmed by oath, that ~~he~~ the applicant:

(a) has applied for licensure by reciprocity pursuant to 37-28-202(2). If the board considers the application and denies it, the temporary permit shall lapse.

(b) has taken the examination for licensure and is awaiting the results; or

January 15, 1993

Page 2 of 2

(c) is a student respiratory care practitioner who expects to graduate within 30 calendar days of his application for a license or is a student who has graduated within 6 months of application for a license.

(2) Upon expiration of the permit and payment of an additional fee in an amount established by the board, the board may issue a permit for an additional period not to exceed 1 year pending reexamination or compliance with the provisions of 37-28-202.

(3) An applicant who reapplies for a temporary permit after ~~he has abandoned~~ abandoning a previous application is not entitled to a permit. " " "

{Internal References to 37-28-206:

37-28-201}

Renumber: subsequent sections

-END-

⑦ The Department of Family Services has done an outstanding job in the administration of the Child Care Block Grant and in

**Testimony and Proposed Amendments for HB 124
Submitted by The Montana Funeral Directors Association
January 13, 1993**

**Contact: Bonnie Tippy
Phone: 449-7244**

The Montana Funeral Directors Association strongly supports HB 124 in its current form, and also respectfully request that the committee consider some amendments which would substantially clarify how payment for indigent funerals is handled.

This bill states clearly that it will be the duty of the county or the state to collect from the adult children of indigent parents. However, there are currently problems in some countys (mostly state assumed ones) where, after contracting with a funeral home to provide services, the county discovers that the deceased has assets and reduces payment by that amount. That practice leaves the funeral home with the task of attempting to collect assets. It should be noted that the funeral home is already providing services at a seriously reduced rate, and that these businesses have no special powers to collect assets from the estate. We have been in contact with State Department of Social and Rehabilitation Services on this issue, and their justification is interesting. They liken funeral homes to health care providers in this area, saying that if assets of a live person are found, then the provider must collect, and that carries through to assets of dead people. The problem with this reasoning is that a health care provider can withhold future services until they are paid from assets. A funeral home has already provided services, and the dead person has no need for future services of any kind from that funeral home. We believe that there are some gaps in the logic of applying the eligibility standards for living poor persons to the deceased. A live poor person has the ability to spend down their last bit of cash in order to get a full-size welfare check. A dead poor person obviously does not.

In addition, when a county or the state asks a funeral home to provide services, they are creating a contract. Many times, assets are not discovered until after services have been provided, and then the funeral home is told that no, they will not receive full payment for services which have been provided by a written or an oral contract.

We therefore ask that this legislature clarify this situation with the following amendments:

Amend HB 124, first reading bill, sec. 2, page 2, line 12

Following: line 11

Insert: "(4) A county or the department may not deduct possible reimbursements or resources of the deceased indigent from the contract amount due a funeral home or mortician for burial services provided under this section or 7-4-2915."

Section 7-4-2915 is the new authority of the county coroner to arrange for funerals in cases under his jurisdiction, with the rotation of funeral homes spelled out in the law.

A title amendment should also be made:

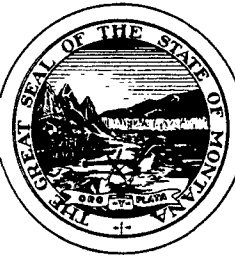
Amend HB 124, first reading bill, title page 1, line 8

Following: "INDIGENTS;"

Insert: 'PROHIBITING OFFSETS AGAINST FUNERAL HOME CHARGES;"

And a statement of intent may be inserted, since sec. 3 of the bill extends SRS rulemaking authority. A line should be added to the effect that "the department will, in such of its rules as GR-160, provide for the recovery of resources which specifically apply toward burial costs, other than specific burial benefits such as Social Security, VA, or tribal benefits, when such benefits are paid to the funeral home. It is the intent of the legislature that the department, or a non-assumed county, not require a funeral home to pursue personal assets of a deceased indigent in order go be paid for a service which it has provided under contract."

DEPARTMENT OF FAMILY SERVICES

(406) 444-5900
FAX (406) 444-5956

MARC RACICOT, GOVERNOR

STATE OF MONTANA

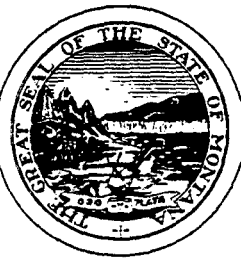
HANK HUDSON, DIRECTOR
JESSE MUNRO, DEPUTY DIRECTORPO BOX 8005
HELENA, MONTANA 59604-8005TESTIMONY IN SUPPORT OF HB 118
"AN ACT REVISING THE MONTANA CHILD CARE ACT, . . ."Submitted by John Melcher, Jr.
Staff Attorney for the Department of Family Services

Under the Montana Child Care Act, the definitions of "day care" and "day care facility" identify which facilities are subject to regulation, and determine, in part, eligibility for services and benefits. HB 118 will benefit Montanans by adding flexibility to these definitions so that two types of needed care may be included in the department's system of licensing and registration.

HB 118 amends the Act to include sick-child care facilities as day care facilities subject to department regulation. Currently, facilities devoted exclusively to the care of sick children are not subject to day care facility requirements because care is not provided on a "regular basis" as defined in the Act. Department personnel play no role in ensuring quality care in these facilities. The facilities and parents utilizing them cannot take advantage of department programs offered to benefit day care facilities licensed or registered by the department.

Similarly, amending the definition of day care facility under this bill will allow for the regulation of care provided in the home of the children, or by a relative, if regulation is required to receive benefits. Currently, the department pays for some care not regulated under the day care facility licensing/registration scheme. However, these unregulated providers may care for a maximum of two children. Thus, a provider caring for three children in the children's home cannot receive state payment. Similarly, a relative caring for more than two children, for example an aunt, who provides care in her home for her nephews and nieces, while not required to be registered as a day care facility, cannot receive state payment regardless of whether the family is eligible for day care benefits. Under the amendments proposed in this bill, the department will be allowed to register these types of providers if the families employing them choose to participate in programs providing for day care benefits.

DEPARTMENT OF FAMILY SERVICES



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STATE OF MONTANA

HANK HUDSON, DIRECTOR
JESSE MUNRO, DEPUTY DIRECTOR

PO BOX 8005
HELENA, MONTANA 59604-8005

January 12, 1993

EXHIBIT 3
DATE 1/13/93
HB 118

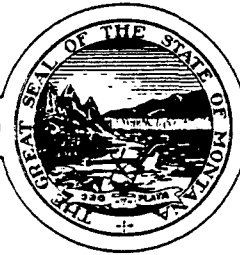
TO: Linda Patrick

FR: John Melcher

RE: Attached materials- HB 118

Please find attached the original of the memorandum and the draft of the fact sheet I faxed to you yesterday. Please also find attached a copy of the final version of the fact sheet, a final of the short copy of the fact sheet, and a memorandum concerning some amendments which may be proposed at the hearing. I have been unable to reach you this date, however, I have left a message that a hearing is scheduled this bill for 3:00 p.m., Room 104, House Committee on Human Services and Aging.

DEPARTMENT OF FAMILY SERVICES



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STATE OF MONTANA

HANK HUDSON, DIRECTOR
JESSE MUNRO, DEPUTY DIRECTOR

PO BOX 8005
HELENA, MONTANA 59604-8005

DATE 1/13/93
HB 118

January 13, 1993

TO: Members of House Committee on Human Services and Aging

FR: John Melcher, Jr.

RE: Amendments to HB 118

Under amendments recommended to the department, the language underscored would be added to the bill:

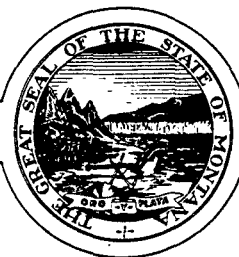
Page 1, Line 18:

(2) "Day care" or "child care" means supplemental parental care for children provided by an adult other than a parent, guardian, person in loco parentis or a relative on a regular basis for daily periods of less-than-24-hours ~~out-of-home care for children~~, whether that care is for daytime or nighttime hours.

Page 2, Line 18:

(6) "Family day-care home" means a private residence in which day care is provided to three to six children from separate families, or a facility which provides day care to a single family in the family's home for the purpose of meeting registration requirements for the receipt of payments as provided in 52-2-713, on a regular basis.

DEPARTMENT OF FAMILY SERVICES



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STATE OF MONTANA

HANK HUDSON, DIRECTOR
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EXHIBIT 3
DATE 1/13/93
HB 118

January 13, 1993

TO: Members of House Committee on Human Services and Aging

FR: John Melcher, Jr.

RE: Amendments to HB 118

Under amendments recommended to the department, the language underscored would be added to the bill:

Page 1, Line 18:

(2) "Day care" or "child care" means supplemental parental care for children provided by an adult other than a parent, guardian, person in loco parentis or a relative on a regular basis for daily periods of less-than-24-hours out of home care for children, whether that care is for daytime or nighttime hours.

Page 2, Line 18:

(6) "Family day-care home" means a private residence in which day care is provided to three to six children from separate families, or a facility which provides day care to a single family in the family's home for the purpose of meeting registration requirements for the receipt of payments as provided in 52-2-713, on a regular basis.

HOUSE OF REPRESENTATIVES

WITNESS STATEMENT

EXHIBIT # ~~10~~ 4
DATE 1-13-93
HB 124

PLEASE PRINT

NAME RAY FREY, RN, MN, PNP BILL NO. ^{HB} 118
ADDRESS 18717 Hwy. 200E Broomer DATE 1/13/93
WHOM DO YOU REPRESENT? DFS/H&P Sick Child Care Proposal.
SUPPORT ✓ OPPOSE _____ AMEND _____

COMMENTS: As the draft author for a joint proposal
establishing a licensing process for provision
of sick-child care services in Montana, I
support this legislative act.

Although sick-child care services already
exist in 5 communities in the state, lack of
state agency licensure prohibits ready access
of state-poor and low-income ~~services~~ clients
to these services. As a result, children who
are ill, and potentially contagious, are often
taken to their regular child care settings because many
families have no other alternative.

While the presence of ill children among well
children in regular child care has always been discouraged
by regulation, greater precision for all child
care providers and more suitable care provisions
are offered in this legislative action and
its accompanying proposal for sick-child care licensure

Amendments to House Bill No. 118
First Reading Copy

EXHIBIT 5
DATE 1-13-93
HB 118

For the Committee on Human Services and Aging

Prepared by David S. Niss
January 19, 1993

1. Title, line 6.
Following: "ACT;"
Insert: "DEFINING "DAY CARE" TO EXCLUDE CARE PROVIDED BY A PARENT
OR OTHER PERSON LIVING WITH THE CHILD AS A PARENT;"
2. Title, line 11.
Following: "PAYMENTS;"
Insert: "ALLOWING A FAMILY DAY-CARE HOME TO PROVIDE CARE FOR
CHILDREN FROM THE SAME FAMILY;"
3. Page 1, line 18.
Following: "means"
Strike: remainder of line 18
4. Page 1, line 19.
following: "care for children"
Insert: "provided by an adult, other than a parent of the
children or other person living with the children as a
parent, on a regular basis for daily periods of less than 24
hours"
5. Page 2, lines 19 and 20.
Strike: "from separate families"

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VISITOR'S REGISTER

HUMAN SERVICES COMMITTEE BILL NO. HB129
DATE JAN. 13, 1993 SPONSOR(S) ED McCAFFREE

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
<i>Dorothy Morris</i>	<i>MACo.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Rick Evans</i>	<i>MT. FUNERAL DIRECTORS</i>	<input checked="" type="checkbox"/> <i>with Amend.</i>	<input type="checkbox"/>
<i>Donna Heggen</i>	<i>MACOE Fergus Co.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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HUMAN SERVICES

COMMITTEE

BILL NO. HB 135

DATE JAN. 13, 1993 SPONSOR(S)

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
18117 Hwy 200 E Loey Tray Bozeman, MT 59723 402 N. 18	DFS / HD State Child Care Program	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Sandy Bailey Bozeman, MT 59715	R & R Network	concerns	
Barbara Malmgren 401's 155 W. 10th	R & R Network	concerns	
Christi E. Seifert	Montana Alliance for Better Child Care	concerns	
Judy Carleson	HRDC Director	<input checked="" type="checkbox"/>	
Phyllis Carpenter	Women's Child Care Advisory Council		

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COMMITTEE

BILL NO.

HB 118

DATE JAN. 13, 1993

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V. COCCHIARELLA

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
18712 Hwy 200E Ray Tracy Brown, MT 59723	DFS / HD State Office Gen. Yampolski	✓	
402 N. 18 Sandy Bailey, Bozeman 59715	R&R Network	✓	
405 W. Hill Sabina Melough	R & R Network	✓	
Christi Seifert	Montana Alliance for Better Child Care	✓	
Box 8005 John Melcher, Jr. Helena 59604	Family Services	✓	
Box 8005 Boyce Fowler	Family Services	✓	
Box 563 Maggie Schmal	DFS - Info only if needed		
Janet Brooke Helena 59604	R & R Network		
Kate Cholewa	MT Women's Lobby	✓	
Maigh Laporte	Housewives Club Care Hours Council		

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