

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 53rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES & AGING

Call to Order: By VICE CHAIRMAN BRUCE SIMON, on January 18,
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. John Bohlinger (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: None

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 168, HB 158, HB 144
Executive Action: HB 158, HB 168

HEARING ON HB 168

Opening Statement by Sponsor:

REP. BILL REHBEIN, House District 21, Lambert, stated HB 168 is
necessary because the Department of Family Services has been

advised by the federal government that the state risks losing its Basic Child Abuse and Neglect Grant money, amounting to \$122,512, if the agency does not succeed in amending the statutory definition of "adequate health care" as it pertains to child abuse and neglect.

Proponents' Testimony:

Hank Hudson, Director, Department of Family Services. Written testimony. EXHIBIT 1

Opponents' Testimony:

None

Questions From Committee Members and Responses:

REP. SQUIRES asked Hank Hudson if the bill would be presented to the Appropriations Subcommittee on Human Services for consideration if it passed the committee and the floor, because of its fiscal impact. Mr. Hudson said the bill basically stands by itself and it was his understanding that presentation to the Appropriations Subcommittee on Human Services wouldn't be necessary.

REP. BERGMAN asked Mr. Hudson if the state had to match the federal funds. Mr. Hudson replied no.

Closing by Sponsor:

REP. REHBEIN closed.

HEARING ON HB 158

Opening Statement by Sponsor:

REP. MIKE KADAS, House District 55, Missoula, said tHB 158 is basically a cleanup bill for the Alternative Health Care Board.

Proponents' Testimony:

Dr. Michael Bergkamp, Chairman, Alternative Health Care Board, said the bill provides staggered terms for members of the board; deletes the requirement that all members be present in order to conduct board business; make fees collected by the board nonrefundable; clarifies the drugs and therapies which may be prescribed by naturopathic physicians; and clarifies the requirement for naturopathic physician endorsement. He said the purpose of the bill is to clarify the existing language, not to add to it.

Carol Grell, Attorney, Department of Commerce, Legal Counsel for

Alternative Health Care Board, explained HB 158 section by section.

Opponents' Testimony:

None

Questions From Committee Members and Responses:

REP. SAYLES asked Ms. Grell who would sign the birth certificates in Montana if the midwife was the attendant at a birth. Ms. Grell said she was not certain whether or not midwives could sign the birth certificates. Midwives cannot obtain copies of birth certificates, therefore they cannot submit copies of birth certificates as documentation they attended the birth.

VICE CHAIRMAN SIMON asked Ms. Grell if a person applied and paid the fee for a midwife license and it was not found acceptable, would the fee be refundable. Ms. Grell said the fees would not be refundable. VICE CHAIRMAN SIMON asked if there would be a problem with confidentially in providing records from a birthing center to the board. Ms. Grell said the board can receive and review records without breaching confidentiality because it is not concerned about names of babies or mothers, just proof that the birth was conducted under supervision, which would be the supervisor's signature. In the event the birth takes place in a religious colony, an affidavit from the birthing mother would be acceptable since colonies don't have a supervisor center.

REP. MOLNAR asked Ms. Grell if there would be an additional fee if an application had to be returned for more information. Ms. Grell replied no.

Closing by Sponsor:

REP. KADAS closed.

HEARING ON HB 144

Opening Statement by Sponsor:

REP. WAYNE STANFORD, House District 62, Stevensville, said HB 144 is mainly a housekeeping bill and defines independent living.

Proponents' Testimony:

June Hermanson, Chair, Independent Living Advisory Council, President, Board of Directors, Summit Independent Living Center, Missoula, said HB 144 updates the administrative codes under vocational rehabilitation.

Opponents' Testimony:

None

Questions From Committee Members and Responses:

REP. TOM NELSON stated that section 2 of the bill is redundant as it repeats section 1 and should be stricken. VICE CHAIRMAN SIMON said the two sections were from two different sections of the law so both should remain.

Closing by Sponsor:

REP. STANFORD closed.

EXECUTIVE ACTION ON HB 158

Motion: REP. HANSON MOVED HB 158 DO PASS.

Voice vote was taken. Motion CARRIED unanimously.

Vote: HB 158 DO PASS.

EXECUTIVE ACTION ON HB 168

Motion: REP. SHEILA RICE MOVED HB 168 DO PASS.

Voice vote was taken. Motion CARRIED unanimously.

Vote: HB 168 DO PASS.

ADJOURNMENT

Adjournment: 4:15 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 1-18-93

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 19, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Human Services and Aging
report that House Bill 158 (first reading copy -- white) do
pass.

Wm E Boharski

Signed: _____

Bill Boharski, Chair

HOUSE STANDING COMMITTEE REPORT

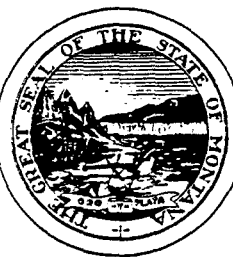
January 19, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Human Services and Aging
report that House Bill 168 (first reading copy -- white) do
pass .

Signed: Wm E Boharski
Bill Boharski, Chair

DEPARTMENT OF FAMILY SERVICES

EXHIBIT 1DATE 1-18-93HB 168

MARC RACICOT, GOVERNOR

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

STATE OF MONTANA

HANK HUDSON, DIRECTOR
JESSE MUNRO, DEPUTY DIRECTORPO BOX 8005
HELENA, MONTANA 59604-8005

January 18, 1993

DEPARTMENT OF FAMILY SERVICES TESTIMONY IN SUPPORT OF HB 168

The Department of Family Services recently received notice from the federal Department of Health and Human Services that the state risks losing its Basic Child Abuse and Neglect Grant money, amounting to \$122,512, if the agency does not succeed in amending the statutory definition of "adequate health care" as it pertains to child abuse and neglect. The requested amendment simply removes "nonmedical remedial" care from the definition of "adequate health care".

The intent of this amendment is to ensure that mandatory reporters of child abuse or neglect will report a parent's failure to seek conventional medical treatment for their ill child. The federal agency has stated that sanctions will not be imposed if the agency investigates a referral of failure to provide adequate health care, but does not find that the withholding of traditional medical treatment for religious reasons is neglectful. They are just concerned that the potential neglect be referred to the agency for investigation, so that risk to the child can be assessed.

The CAN Grant is critical to DFS operations and community programs. In addition to the Basic CAN Grant that is directly affected, the department's eligibility for funding of the Children's Justice Act Grant of \$71,060 is contingent upon the agency's eligibility for the CAN Grant. These grants are used to fund mini grants for many community programs as: good touch/bad touch programs; local prevention programs; counseling for abused children in battered woman's shelter; fetal alcohol syndrome training in high schools and junior highs; and parenting classes for adults and teenagers.

Both the CAN Grant and CJA Grant are also used to fund training for social workers and other professionals, including: introductory training for new social workers, sexual abuse training, training regarding abuse issues for native americans; and a child abuse hot line. The remainder of the Grants goes to other programs, travel, resource materials and administrative costs. The agency would have a difficult, if not impossible task in providing funding for these programs and training without the CAN Grant and Children's Justice Act Grant.

I urge your support of HB 168.

HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER

Human Services

COMMITTEE

BILL NO. 168

DATE

1/18/93

SPONSOR(S)

Rep. Lehman

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Hank Hudson	DFS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ED Caplig		<input type="checkbox"/>	<input type="checkbox"/>
Heater Hudson	AAA	<input type="checkbox"/>	<input type="checkbox"/>
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PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS
ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER

Human Services COMMITTEE BILL NO. 144
DATE 1/18/93 SPONSOR(S) Rep. Staggers
PLEASE PRINT PLEASE PRINT PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Jane Heiman	Independent Living	X	

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HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER

Human Services COMMITTEE BILL NO. 158
DATE 1/18/93 SPONSOR(S) Rep. Kadas

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Walt Davis 301 Kiwanis msca	MNA		
Carol Grell	Dept. Commerce	X	
Cheryl Brant	Dept of Commerce		
John Thompson	Independent Living		
Michael Bergkamp	Board of Alt Med	X	

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