

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
54th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON HUMAN SERVICES & AGING

Call to Order: By **CHAIRMAN DUANE GRIMES**, on January 4, 1995, at
3:00 p.m.

ROLL CALL

Members Present:

Rep. Duane Grimes, Chairman (R)
Rep. John C. Bohlinger, Vice Chairman (Majority) (R)
Rep. Carolyn M. Squires, Vice Chairman (Minority) (D)
Rep. Chris Ahner (R)
Rep. Ellen Bergman (R)
Rep. Bill Carey (D)
Rep. Dick Green (R)
Rep. Antoinette R. Hagener (D)
Rep. Deb Kottel (D)
Rep. Bonnie Martinez (R)
Rep. Brad Molnar (R)
Rep. Bruce T. Simon (R)
Rep. Liz Smith (R)
Rep. Susan L. Smith (R)
Rep. Loren L. Soft (R)
Rep. Kenneth Wennemar (D)

Members Excused: None

Members Absent: None

Staff Present: David Niss, Legislative Council
Jacki Sherman, Committee Secretary

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

Committee Business Summary:

Hearing: HB 36
Executive Action: None

Tape 1 - Side A

HEARING ON HB 36

Opening Statement by Sponsor:

REP. DEBBIE SHEA, HD 35, said the purpose of HB 36 is to clean up
and clarify the current law to enable the Department of
Corrections and Human Services the same collections procedures as

the Montana Chemical Dependency Center (MCDC) in Butte, as they had when the program was located at the Galen campus, Montana State Hospital. The fiscal note from Budget Director, Dave Lewis, shows no fiscal impact for the state.

Proponents' Testimony:

Darryl Bruno, Administrator of Alcohol & Drug Abuse Division, for the Department of Corrections & Human Services read written testimony. **EXHIBIT 1 HB 36** will continue to recognize MCDC as an institution where the residents are subject to pay for the per diem and ancillary charges for the services they receive. It also requires financially-able persons involved in the criminal justice system to be financially responsible for the services they receive. A large percentage of clients are involved in the criminal justice system. It also requires all payments received for services to be deposited in the earmarked alcohol tax revenue account. It will allow MCDC to collect approximately \$100,000 in reimbursements in each fiscal year and will not increase collections.

Mike Ripport, Executive Director of the Boyd Andrew Chemical Dependency Care Center said this bill would not change the current procedures or how funds are collected. It would tie up loose ends and direct the money that is collected back to chemical dependency services as opposed to the general fund.

Kathy McGowan, representing Chemical Dependency Programs of Montana, said this makes good sense and urged the committee to pass the bill.

Opponents' Testimony: None.

Informational Testimony: None.

Questions From Committee Members and Responses:

REP. BRUCE SIMON asked **Mr. Bruno** if somewhere it is designated that the Montana Chemical Dependency Center is an entity of the state and when it split off from the state hospital, did the name get put in officially so it is the same in the bill. **Mr. Bruno** replied that in the present law there is a Montana Chemical Dependency Treatment Program that states its location, but the official name is not addressed in the bill.

REP. JOHN BOHLINGER asked **Mr. Bruno** if funds would be difficult to collect for treatment from people that were financially able. **Mr. Bruno** replied that they have been collecting all along for the past year. "I believe we always could collect the funding for the bill because it is a state-approved chemical dependency program and the insurance laws allow for reimbursement for that purpose and certainly from third-party payments. I do not see a problem on that end. Without the bill my concern is that the money that we get, unless specifically marked, will not go into

the earmarked alcohol account which is very important. Also the people involved in the correctional system, whether they would have to pay to programs referred rather than doing jailtime. They are responsible, they are required by law to pay. Without the provisions set forth in HB 36, the opportunity to receive payments, demand payments from those people who were referred to the Department by the State of Montana, might be questionable, but certainly wouldn't be questionable for payments."

Joe Williams, Fiscal Bureau Chief, for the Department of Corrections and Human Services said they still could collect that revenue; the issues are just a little less clear.

REP. LOREN SOFT asked **Mr. Bruno** if this bill is based on clients' ability to pay, what percentage of the clients can pay and what percentage of the clients cannot pay. He asked if there is a follow-up collection after a client leaves. **Mr. Bruno** replied that approximately 10% can pay something, but the amount paid may be a very little percentage of the actual bill. **Mr. Williams** answered the collection question. A staff person does follow up when the individual comes in for treatment. They do a financial analysis with them based on liquid assets; they have a "tickler file" and do follow up to see if they are able to pay.

REP. LOREN SOFT asked **Mr. Williams** what the per diem and the amount charged per patient was. **Mr. Williams** answered that he believes about \$70 per day, possibly less, for the inpatient program. For detoxification services, the charge is much higher. They get very little reimbursement on detox because it's not a licensed hospital and they collect Medicare/Medicaid charges from people receiving those kinds of services. Most of the people in detox have difficulty to to pay. He said they collect probably one-third of third-party payments.

REP. BRUCE SIMON asked **Mr. Bruno** if the Montana Chemical Dependency Treatment Center is still considered part of the state hospital. **Mr. Bruno** responded that they are no longer a part of the state hospital, but they do have some agreements with the state hospital for lab services.

REP. CAROLYN SQUIRES asked **Mr. Bruno** to describe the kinds of people who come to the MCDC and if there is a waiting list like there was previously.

Mr. Bruno replied that the clients tend to be low-income and are also referred from the criminal justice system. Some have insurance and opt to go there to avoid a big bill when they leave. A large percentage are on Medicaid/ Medicare. Admissions are higher than at Galen, but it is being dealt with effectively and there is no longer a waiting list. The length of the stay is shorter than it used to be at Galen.

REP. BRAD MOLNAR asked Mr. Bruno if the treatment center was for adults and juveniles both. Mr. Bruno replied that it was for adults only.

REP. BONNIE MARTINEZ asked Mr. Bruno what the success rate is and if the clients, after completing this program, return to the program. Mr. Bruno responded that some do; "detoxification is a revolving door." Aftercare in the communities is offered.

Closing by Sponsor:

REP. DEBBIE SHEA, HD 35, thanked the committee for their attention and good questions and said she learned a great deal herself.

ADJOURNMENT

Adjournment: The meeting adjourned at 4:10 p.m.

(THIS SESSION IS RECORDED ON 1 90-MINUTE TAPE)



REP. DUANE GRIMES, Chair



JACKI SHERMAN, Secretary

DG\JS

HOUSE OF REPRESENTATIVES

Human Services and Aging

ROLL CALL

DATE Jan. 4, 1995

NAME	PRESENT	ABSENT	EXCUSED
Rep. Duane Grimes, Chairman	✓		
Rep. John Bohlinger, Vice Chairman, Majority	✓		
Rep. Carolyn Squires, Vice Chair, Minority	✓		
Rep. Chris Ahner	✓		
Rep. Ellen Bergman	✓		
Rep. Bill Carey	✓		
Rep. Dick Green	✓		
Rep. Toni Hagener	✓		
Rep. Deb Kottel	✓		
Rep. Bonnie Martinez	✓		
Rep. Brad Molnar	✓		
Rep. Bruce Simon	✓		
Rep. Liz Smith	✓		
Rep. Susan Smith	✓		
Rep. Loren Soft	✓		
Rep. Ken Wennemar	✓		

EXHIBIT 1

DATE 1-4-95

HB 36

Testimony HB 36

HB 36 includes the Montana Chemical Dependency Center (MCDC) in Butte as an institution required to assess and collect per diem and ancillary charges for the care of residents receiving services.

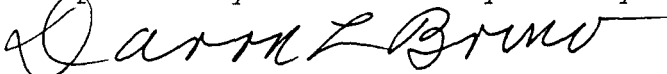
The Montana Chemical Dependency Center is a 90 bed inpatient and 10 bed non hospital detoxification chemical dependency treatment program. Prior to the 1993 legislature this program was located on the Galen campus of the Montana State Hospital. MCDC is funded from earmarked alcohol tax funds appropriated by the legislature. The annual operating budget is approximately \$2,500,000 each year with a staff of about 50 FTE. MCDC is administered by the DCHS Alcohol and Drug Abuse Division.

The purpose of this bill is to clean up legislation over looked in the Fy 93 session when the legislature closed the Montana State Hospital, Galen campus and moved chemical dependency services to Butte. HB 36 is a technical amendment to allow for collections at MCDC as had historically occurred when chemical dependency services were on the Galen Campus.

HB 36 will continue to:

- a. recognize the MCDC as an institution where residents are subject to be responsible for per diem and ancillary charges while receiving chemical dependency services.
- b. require a financially able person involved in the criminal justice system to be financially responsible for service he or she receives.
- c. require all payments received for services to be deposited in the earmarked alcohol tax revenue account. This is the only state funding source supporting alcohol services in both the institutions and the communities.
- d. allow MCDC to collect approximately \$100,000 in reimbursement in each fiscal year. It will not increase collections.

Respectfully Submitted by Darryl L. Bruno



Administrator of the Alcohol and Drug abuse Division
Department of Corrections and Human Services.

HOUSE OF REPRESENTATIVES
VISITORS REGISTER

Human Services & Aging

DATE Jan. 4, 1994

BILL NO. HB 36 SPONSOR(S) Debbie Shea

PLEASE PRINT

PLEASE PRINT

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NAME AND ADDRESS	REPRESENTING	Support	Oppose
Darryl L. RUMO	DCHS	X	
MIKE RIPPON	Boyd Andrew CCCC	X	
KATHY McGOWAN	CDPM	X	
Debbie Shea ^{SPONSOR} _{OF HB 36}	HOUSE DIST 36.	X	

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