

## **MINUTES**

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

#### **COMMITTEE ON HUMAN SERVICES & AGING**

**Call to Order:** By **CHAIRMAN DUANE GRIMES**, on January 6, 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: HJR 1, HJR 2, HJR 4,  
Executive Action: HJR 2, HB 36

#### **HEARING ON HJR 1**

##### **Opening Statement by Sponsor:**

**REP. BOB PAVLOVICH, HD 37, Butte**, said the 1993 Legislature passed HJR 27 to study veterans' needs. This is one of the five bills that has come out of that veterans' study committee. HJR 1 was directed to the Department of Commerce. A joint resolution

of the Montana Senate and the House of Representatives requested inclusion of a variable on veteran status in future housing studies and surveys. This joint resolution was made in order to better assess and identify the housing needs of veterans in Montana. They are also requesting the Board of Housing to use information on veteran status to develop special housing programs for veterans.

**Proponents' Testimony:**

**Jim Jacobsen, Administrator of Montana Veterans Affairs Division,** is an advocate for veterans and stated that one of their needs is accessibility to home loans. There are five or six states in the United States that have veterans' home loan programs. He said they hoped this resolution will cause the Board of Housing and the Department of Commerce to establish a program to study the housing needs of veterans and then bring the results to the next legislative session.

**Hal Manson, representing the American Legion of Montana,** stated that the American Legion is 100% in support of this joint resolution and he strongly urged the committee to consider it.

**Joe Brand, Montana State Legislative Director for Veterans of Foreign Wars (VFW)** said there is a need for the veterans to be represented on the Montana Housing Board to get the recognition that there are some veterans who need homes who are not covered under federal law. He supported this resolution.

**Dick Baumberger, representing the Disabled American Veterans (DAV)** said a needs assessment is something that is long past due. DAV urged the committee to consider this joint resolution.

**Mike Craig, Planning and Research Director for the Health Care Authority** offered their support for HJR 1 and said they have found while going through the health reform support deliberations last year, that the health of veterans in the state of Montana is adversely impacted by their living conditions. As a result, veterans' health care costs grow and when veterans' health care costs grow, everyone's cost grows. He stated their support for this resolution.

**Opponents' Testimony :** None.

**Informational Testimony:** None

**Questions From Committee Members and Responses:**

**REP. LOREN SOFT** asked **REP. PAVLOVICH** to explain what the resolution would do for veterans. **REP. PAVLOVICH** replied that the resolution would instruct the Department of Commerce and the Board of Housing to prepare a report on the housing needs of Montana veterans to be submitted to the 55th Legislature. He said that veterans are in need of housing, many are homeless, and many

of those who are homeless have families. He said there are funds in the Board of Housing to address these problems.

REP. LOREN SOFT asked REP. PAVLOVICH if there is a fiscal note and he replied there was not.

REP. LIZ SMITH asked REP. PAVLOVICH what percentage of veterans at this time are in need of housing and he replied that they have asked the DAV and the American Legion to conduct a survey to find out the number of veterans in need, and then submit the results to the Department of Commerce and the Board of Housing.

REP. SUSAN SMITH asked REP. PAVLOVICH if he is requesting a survey. REP. PAVLOVICH replied yes, a survey and study to submit to the 55th Legislature.

REP. CHRIS AHNER asked REP. PAVLOVICH if this resolution takes into consideration everything from nursing home needs to apartments to individual dwellings. REP. PAVLOVICH answered that it will encompass everything.

REP. BRAD MOLNAR asked Mr. Manson if he could be specific why a veteran would not be covered by the Veterans Administration (VA), but would be covered by the state. Mr. Manson stated that to qualify for a VA housing loan, a veteran must have a down payment. There are many veterans in Montana with no money. The state program helps veterans get started in housing when they can not qualify for the federal program because of lack of money for a down payment.

REP. SUSAN SMITH asked Mr. Manson if the state pays the down payment to qualify veterans for federal loans, would the state be handling the entire loan. Mr. Manson replied that they would help arrange the financing. Veterans would have to pay their own down payment.

Closing by Sponsor:

REP. BOB PAVLOVICH stated that a list of the study committee members is available in the Legislative Council. The study committee is composed of four senators and four representatives, four from each party. He urged the committee to favorably consider this resolution.

HEARING ON HJR 2

Opening Statement by Sponsor:

REP. BOB PAVLOVICH, HD 37, BUTTE, said this resolution is not necessary and is being acted on now. This occurred in the month just prior to the meeting, so the committee didn't need to hear this resolution. He moved to table this bill.

There were no objections from the committee. They agreed to consider the motion and take executive action.

#### EXECUTIVE ACTION ON HJR 2

**Motion:** REP. BOB PAVLOVICH MOVED TO TABLE HJR 2.

**Discussion:** There were no objections from the committee.

**Vote:** The motion carried unanimously.

#### HEARING ON HJR 4

##### Opening Statement by Sponsor:

REP. BOB PAVLOVICH, HD 37, BUTTE, said this resolution has been ongoing since he arrived in the Legislature in 1979. Every two years since, this resolution has been introduced to the Legislature to fund the construction of a nursing home in Fort Harrison. They have a 90-bed nursing home in Columbia Falls and a new 80-bed nursing home has been constructed in Glendive, but they are 500 miles apart. He said veterans in central Montana must go to one of these two nursing homes and it is a long way to travel, for the veteran and for his family. They are requesting funds to remodel Fort Harrison and build a 40 to 50-bed nursing home in Helena or possibly Warm Springs if it is shut down completely. There are over 100,000 veterans in the state of Montana and they need somewhere to go for health care.

##### Proponents' Testimony:

Jim Jacobsen, Administrator, Montana Veterans Affairs Division, said of the 100,000 veterans in Montana, 30,000 are over the age of 60 years. The two nursing homes in Columbia Falls and Glendive are on a 50/50 construction agreement between federal and state. Both nursing homes are operated by the state of Montana. This addition at Fort Harrison would be 100% federally-funded. As the resolution indicates, at the Miles City VA hospital, there is a wing with 26 nursing home beds. They are asking the VA to federally-fund the Fort Harrison construction. "For a geographically proximate east-west, we need this nursing home."

Hal Manson, American Legion of Montana said the first request was put in for this resolution many years ago. The Veterans Administration promised that they, the veterans, would be answered. The VA gave them a timetable of five years and every year they've been pushed back and forgotten. Every session, they remind the VA that they are still very interested in the nursing home. The older a veteran gets, the more health care he will need. Many veterans were drafted to serve during World War II and have no formal education. Many of these veterans were

farmhands, mechanics and general laborers. "Because they are veterans and have served our country with honor, we believe these veterans should be taken care of. ... We want everyone to be aware that we have a need for this nursing home."

**Joe Brand, Montana State Legislative Director for Veterans of Foreign Wars**, said that more than 50% of the veterans reside within 150 miles of Fort Harrison. This will be a federal facility. He stated their support this resolution.

**Dick Baumberger, representing the Disabled American Veterans (DAV)** asked the committee to support this resolution.

Opponents' Testimony: None

Informational Testimony: None

Questions From Committee Members and Responses:

**REP. LOREN SOFT** asked **Mr. Jacobsen** what the current need for bedspace is and if a study has been conducted. **Mr. Jacobsen** answered that the two current veterans' nursing homes are not the responsibility of the Montana Veterans Affairs Division, but belong to the Department of Corrections and Human Services. He deferred the question to that agency.

**REP. ELLEN BERGMAN** asked **Mr. Brand** why there is a discrepancy between what is federal and what is state. **Mr. Brand** replied if it is handled by the federal government, it is not state-involved. Both Miles City and Fort Harrison are federally-funded and the state has no input. State facilities are handled by the state. "My personal opinion is that the federal government provides better service." The state does receive federal funds, depending on each individual patient's care. Each veteran must take a "means test" to get into a state facility. They must take a "poverty oath" and do not like this because they feel it is discriminating.

**REP. ELLEN BERGMAN** asked **Mr. Brand** if there is room in the VA hospital in Miles City to build another wing for a nursing home. **Mr. Brand** replied that the federal government has been "playing games" trying to close this facility also. He said, "No one has been honest with the veterans about what they want done."

**REP. JOHN BOHLINGER** told **Mr. Brand** that he is a veteran and served in the Marine Corps. He shared some of the concerns about providing for veterans' needs and said that's important when determining and assessing the need for additional facilities. He stated his concern that only Fort Harrison would be considered as the site for this facility while 50% of Montana's veterans reside within 150 miles of Fort Harrison. He thought there should be more thorough research done to decided on a suitable location and wished to discuss other areas that may be more accessible to veterans.

REP. JOHN BOHLINGER asked REP. PAVLOVICH if the needs assessment tells them an additional nursing home is necessary, can they discuss at that time other areas that would better serve the greater majority of veterans in the state. REP. PAVLOVICH responded that everyone would like to see the nursing home built in their home town and agreed that they should determine the best area. He said that Fort Harrison has been on the study since 1979.

REP. TONI HAGENER asked REP. PAVLOVICH if the new nursing home would accommodate female veterans and he replied that it would.

REP. LIZ SMITH asked Mr. Jacobsen if there is a certificate of need required to establish a federally-funded nursing home and if that is also true of the state nursing homes. Mr. Jacobsen replied yes.

REP. LIZ SMITH then asked if it was not true that upon discharge from a VA hospital some of the long term care is contracted to private nursing homes in veterans' home towns. Mr. Jacobsen answered yes, but for six months only. Then the veteran is on his own.

REP. SUSAN SMITH asked if there is something to preclude them from contracting with local nursing homes longer than six months. so these new facilities wouldn't be necessary. Mr. Jacobsen replied that funding is the issue and not knowing its source.

**Tape 1, Side B**

REP. BRUCE SIMON asked Mr. Jacobsen if they went through a certificate of need process for the Glendive facility which is required under state law for other facilities. Mr. Jacobsen replied that it was his understanding that the "certificate of need" would be the survey, and the "need" would be placing the facility at Glendive. Rose Hughes answered by saying that state and federal facilities require no certificate of need. There is no certificate of need on the Glendive nursing home.

**Closing by Sponsor:**

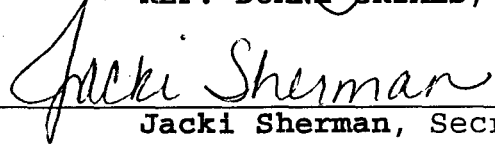
REP. BOB PAVLOVICH, HD 37 said Fort Harrison is a federal facility. The nursing homes in Columbia Falls and Glendive are state-operated facilities. Montana veterans will have first choice at Glendive, if there are beds left; then other states will have a choice.

**EXECUTIVE ACTION ON HB 36**

**Motion/Vote:** REP. TONI HAGENER MOVED THAT HB 36 DO PASS. The motion carried unanimously.

ADJOURNMENT

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

  
\_\_\_\_\_  
REP. DUANE GRIMES, Chair  
\_\_\_\_\_  
Jacki Sherman, Secretary

DG\JS

# HOUSE OF REPRESENTATIVES

## Human Services and Aging

ROLL CALL

DATE 1-6-95

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	✓		





## HOUSE STANDING COMMITTEE REPORT

January 11, 1995

Page 1 of 1

Mr. Speaker: We, the committee on Human Services and Aging report that House Bill 36 (first reading copy -- white) do pass as amended.

Signed: \_\_\_\_\_

*Duane Grimes*  
Duane Grimes, Chair

And, that such amendments read:

1. Title, line 6.  
Following: "DEPENDENCY"  
Insert: "TREATMENT"
2. Page 1, line 22.  
Following: "dependency"  
Insert: "treatment"
3. Page 2, line 12.  
Following: "dependency"  
Insert: "treatment"
4. Page 2, line 27.  
Following: "dependency"  
Insert: "treatment"

-END-

Committee Vote:  
Yes 16, No 0.

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# HOUSE OF REPRESENTATIVES

## ROLL CALL VOTE

### Human Services and Aging Committee

DATE 1-6-95 BILL NO. HB36 NUMBER         

MOTION: Amendment by Rep. Bruce Simon

unanimous

NAME	AYE	NO
Rep. Duane Grimes, Chairman	✓	
Rep. John Bohlinger, Vice Chairman, Majority	✓	
Rep. Carolyn Squires, Vice Chairman, 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	✓	

# HOUSE OF REPRESENTATIVES

## ROLL CALL VOTE

### Human Services and Aging Committee

DATE 1-6-95 BILL NO. HB36 NUMBER \_\_\_\_\_

MOTION: Rep Hagener - motion to do pass

Do pass as amended

Voice vote

NAME	AYE	NO
Rep. Duane Grimes, Chairman	✓	
Rep. John Bohlinger, Vice Chairman, Majority	✓	
Rep. Carolyn Squires, Vice Chairman, 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	✓	

HOUSE OF REPRESENTATIVES  
VISITORS REGISTER

Human Services & Aging

DATE 1/6/95

BILL NO. HJR 1,2, & 4 SPONSOR(S) Bob Pavlovich

PLEASE PRINT

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NAME AND ADDRESS	REPRESENTING	Support	Oppose
<u>C. Hal Hanson</u>	<u>American Legion</u>	<u>X</u> <del>HJR 1</del>	
<u>Dick Baumbach</u>	<u>DAV</u>	<u>X</u>	
<u>Jim Jacobson</u>	<u>Int Vets Affair Serv</u>	<u>X</u>	
<u>Joe Brand</u>	<u>VFW</u>	<u>X</u>	
<u>Mike Craig</u>	<u>HCA</u>	<u>✓</u>	

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

HR:1993

wp:visbcom.man

CS-14