MINUTES

MONTANA HOUSE OF REPRESENTATIVES 54th LEGISLATURE - REGULAR SESSION

JOINT SUBCOMMITTEE ON HUMAN SERVICES & AGING AND

JOINT SUBCOMMITTEE ON INSTITUTIONS AND CULTURAL EDUCATION

Call to Order: By CHAIRMAN JOHN COBB, on January 27, 1995, at 8:00 a.m.

ROLL CALL

Human Services and Aging Subcommittee - Members Present:

Rep. John Cobb, Chairman (R)

Sen. Charles "Chuck" Swysgood, Vice Chairman (R)

Rep. Beverly Barnhart (D)

Sen. James H. "Jim" Burnett (R)

Rep. Betty Lou Kasten (R)

Sen. John "J.D." Lynch (D)

Institutions & Cultural Education Subcommittee - Members Present:

Rep. Marjorie I. Fisher, Chairman (R)

Rep. Red Menahan (D)

Rep. Steve Vick (R)

Sen. Larry Tveit, Vice Chairman (R)

Sen. Mignon Waterman (D)

Members Excused: None

Members Absent: Sen. Gary Aklestad (R)

Staff Present: Lisa Smith, Legislative Fiscal Analyst

Lois Steinbeck, Legislative Fiscal Analyst Connie Huckins, Office of Budget & Program

Planning

Douglas Schmitz, Office of Budget & Program

Planning

Ann Boden, Committee Secretary

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

Committee Business Summary:

Hearing: Department of Family Services

- Montana Youth Alternatives Program:

Discussion

Executive Action:

Department of Family Services

- Provider Rate increases

{Tape: 1; Side: A; Approx. Counter: 000; Comments: This meeting was recorded on one 60-minute cassette tape.}

EXECUTIVE ACTION ON DEPARTMENT OF FAMILY SERVICES Provider Rate Increases

Motion: SEN. MIGNON WATERMAN MOVED THAT THE COMMITTEES ACCEPT THE BUDGET METHODOLOGY PROPOSED BY THE WORKING GROUP, USING THE CONSUMER PRICE INDEX (CPI) FOR PRESENT LAW AND THAT THE BUDGET BE PREPARED BASED ON THIS.

<u>Discussion</u>: In response to **REP. STEVE VICK, SEN. WATERMAN** said her motion was not intended to require a specific funding level. It would provide for a methodology to prepare the budget on. She suggested that her motion could be divided into two separate motions: one to accept the methodology and another to agree to fund the CPI in the current budget. She made the point that each legislative session, the actual funding level would still be voted on; it would just be done with a methodology that made sense.

CHAIRMAN JOHN COBB said an additional \$1.7 million was needed in order to apply the rate increases for the 1997 budget. He then discussed the history of the issue and the merits of applying a methodology when determining rate increases and outlined the decisions the committees would have to be making.

SEN. CHARLES SWYSGOOD expressed opposition to the proposed methodology because there were too many unknowns to determine what the cost would be.

REP. VICK said there was some unfairness in giving different providers different rate increases but pointed out that inflation does not affect everyone the same.

CHAIRMAN COBB pointed out that if the increases were included in the Governor's budget the Legislature at least had a chance to have some control over the amounts. He pointed out that state employees and other providers should receive rate increases equally.

REP. BETTY LOU KASTEN pointed out that if the Committee voted for the new methodology and there wasn't enough money available to provide pay raises for state employees, then the current situation would be reversed.

SEN. WATERMAN said that in spite of the unknowns, the methodology will provide the information upon which the Legislature will make its budget decisions. She stressed it does not require that the CPI has to be used. She pointed out that the working group that had studied this issue looked at very narrow criteria for who this would apply to. She submitted that the group had come up with the best rationale thus far. She pointed out that the groups with the best lobbying got the increases under the present system and this would help take some of the politics out of rate increase decision-making.

Amended motion: SEN. WATERMAN AMENDED HER MOTION TO ADOPT THE METHODOLOGY FOR PREPARING THE 1997 BUDGET.

<u>Discussion</u>: REP. BEVERLY BARNHART said that the key issue is if the services are going to be mandated, then the methodology should be applied.

<u>Vote</u>: The question was called for. The Human Services Subcommittee voted first, with CHAIRMAN COBB, REP. BARNHART and SEN. J. D. LYNCH voting yes and SEN. SWYSGOOD, REP. KASTEN and SEN. JIM BURNETT opposed. The Institutions Subcommittee members then voted, with CHAIRMAN MARGE FISHER, REP. RED MENAHAN and SEN. WATERMAN voting yes, REP. VICK and SEN. LARRY TVEIT opposed and SEN. AKLESTAD excused. SEN. WATERMAN'S motion carried.

<u>Discussion</u>: SEN. WATERMAN suggested that a decision also be made on the level of funding.

SEN. SWYSGOOD asked for clarification on what the committees' actions were applying to. **CHAIRMAN COBB** said using the methodology was separate from whether or not the funding was approved.

REP. KASTEN echoed SEN. SWYSGOOD'S concerns. SEN. WATERMAN said some of the budgets are in the Institutions Subcommittee and some are in the Human Services Subcommittee. SEN. SWYSGOOD wanted to know how the LFA was going to put language in HB 2 that would relate to just one part of the budget and not others.

Ms. Steinbeck said the way she understood the motion, it referred to the CPI methodology and services that were identified in the working group's paper, which would include all the Human Services. She asked if the intent was now that the methodology only apply to services in the budgets of the Institutions Committee. SEN. WATERMAN said each committee would have to make its own decisions.

SEN. SWYSGOOD said it was important to address the issue of one committee's actions and how they would or would not reflect the other committee's decisions. He said he did not feel the methodology would cross over into all human services. He objected to putting any language into HB 2 until the issue was settled. SEN. WATERMAN said that since this was such an overriding issue it should probably be decided before the full Appropriations Committee or a joint committee.

REP. KASTEN disagreed that provider rate increases were similar to fixed costs. Most of the other committees have no idea what provider increases do or how the budgets fit together.

<u>DEPARTMENT OF FAMILY SERVICES - JUVENILE CORRECTIONS SYSTEM</u> Montana Youth Alternatives Program

- Ms. Steinbeck distributed a handout containing information which some of the subcommittee members had requested about the Department of Family Services' (DFS) Montana Youth Alternatives (MYA) Program. EXHIBIT 1
- Mr. Hank Hudson, DFS Director, spoke about the MYA Program. He explained that youth generally would go from Phase I into Phase II of the program, but Phases III, IV and I would remain as options. Phase I would take place on the Mountain View campus.
- REP. KASTEN wanted to know what would be done with female offenders. Mr. Hudson said it is their view that nearly all the females currently being referred for Mountain View School placement would be appropriate to move through the MYA Program. In the cases where a youth needs incarceration, DFS will have the option of retaining them at Mountain View or they can purchase a secure care bed from a private care provider in the state.
- SEN. LYNCH asked for more clarification about the phases of the program. Mr. Hudson said Phase I lasts up to 30 days. Phase II will take place in the vicinity of the Helena National Forest or private, state or BLM land in the Helena area. Portable structures will be used. The duration of Phase II is up to 60 days. Phase III occurs on the Mountain View Campus. The building is a "group home setting" whereas Phase I's building is a "secure care setting." Phase III begins contact with the Montana Conservation Corps and future plan-making; this phase lasts six weeks to two months. Phase IV occurs back in the youth's home town and will involve "intensive supervision."
- Mr. Hudson reviewed the contents of Exhibit 1. He projected that in the coming two years they will need to serve more youth than in the past, for a longer time and with a more aggressive program. He characterized the MYA Program as the Department's effort at reinventing the Youth Corrections facility to meet those needs and urged the committees' support of the proposal.

In response to SEN. LYNCH, Mr. Al Davis, DFS Juvenile Corrections Division Administrator, pointed out that on any given day over seven kids will be involved in one part of this program, which is better than twice the number of kids they have been able to serve previously. He guaranteed that if they are given the flexibility and the opportunity to develop this program, in two years Montana will have the start of one of the best juvenile correction programs in the U.S.

SEN. LYNCH said the one place where he saw a flaw in the program was in the area of education.

ADJOURNMENT

Adjournment: 8:51 a.m.

No

REP. JOHN COBB, Chairman

Subcommittee on

Human Services and Aging

with head 6198

MARJORIE I. FISHER, Chairman Subcommittee on

Institutions and Cultural Education

DEBBIE ROSTOCKI, Recording Secretary

Note: These minutes were proofread by Lois Steinbeck, LFA.

JC/MIF/dr

HUMAN SERVICES & AGING

ROLL CALL

Joint Appropriations Subcommittee

$1-27-95$ DATE $\frac{1-23-95}{1-23-95}$	BILL NO.	NUMBER
MOTION:		

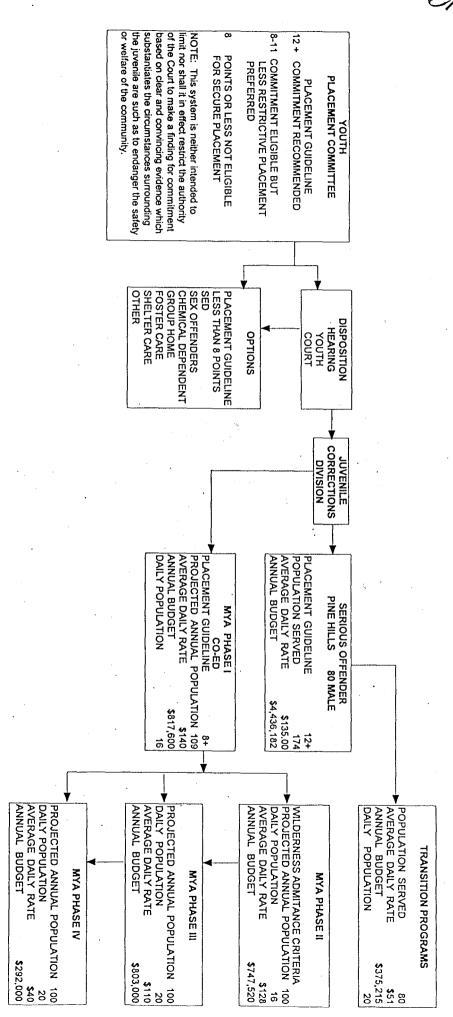
NAME	AYE	NO
Rep. John Cobb, Chairman	X	
Rep. Beverly Barnhart	X	
Rep. Betty Lou Kasten	X	
Sen. Chuck Swysgood, Vice Chairman	X	
Sen. J.D. Lynch	X	
Sen. Jim Burnett	X	

HUMAN SERVICES & AGING

ROLL CALL VOTE

Joint Appropriations Subcommittee

	DATE 1-27-95 BILL NO	NUMBER		
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	Rep. Beverly Barnhart	X		
	Rep. Betty Lou Kasten	·	X	
	Sen. Chuck Swysgood, Vice Chairman		X	
	Sen. J.D. Lynch	X		
	Sen. Jim Burnett		X	
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	Fisher, Waterman, Vich,	NON	yes 3-3	The vote
	reeds allestads	vote		



MYA TOTAL BUDGET = \$2,

\$2,261,102

12785

JUVENILE CORRECTIONS SYSTEM

DEPARTMENT OF FAMILY SERVICES



MARC RACICOT, GOVERNOR

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

STATE OF MONTANA

HANK HUDSON, DIRECTOR

PO BOX 8005 HELENA, MONTANA 59604-8005

TO:

Human Services Subcommittee Members

FROM:

Al Davis, Administrator

Juvenile Corrections Division

RE:

Mountain View School Issues

DATE:

January 25, 1995

The testimony presented at the January 23rd hearing on the Montana Youth Alternatives (Wilderness) proposal was carefully evaluated to determine whether issues continued to be unresolved. Although a determination was made that all issues were adequately covered in the overview presentations and supporting documentation, a number of clarifications need to be made. Documentation is available at your request for a more detailed response to these issues.

Because a majority of testimony surrounded the education aspect of the program, a separate attachment is included specific to education. Draft curriculum material is available upon requrest.

Other clarification issues are as follows:

• ISSUE: The Mountain View School is being <u>closed</u>.

RESPONSE: The Department is pursuing quite the opposite. It is the intent of this proposal to expand the purpose of Mountain View School to allow for increased programming to serve a greater number of youth without increasing the budget.

• ISSUE: Admittance criteria is discriminatory in that it restricts those referrals who possess certain physical, psychological, or handicap conditions from the program.

- RESPONSE: All secure care youth scoring above "8" on the placement guideline will be considered appropriate for referral. Some youth who have medical, physical handicap, age, psychological, or other identified concerns would be carefully evaluated to determine appropriateness for referral to the <u>Wilderness</u> phase of the program. This is a two month segment of the total seven month program. The admittance criteria discussed was intended only for the Wilderness phase of the Youth Alternatives program.

ISSUE: Montana does not license "wilderness" programs in Montana. Without licensing, life/safety issues become a concern.

RESPONSE: The licensing demands in the state of Utah are as stringent as any found in the United States. The contract being considered with the Aspen Youth Alternatives provider will make reference to the Utah licensing standards and require compliance. Part of those requirements demand that all staff be trained in medical first aid, first response, and Emergency Medical Tech skills. It further requires an elaborate communications system to allow for quick access response in the case of an emergency. Letters of agreement with law enforcement, search and rescue units, and medical facilities are required.

ISSUE: Female offenders are not given equal opportunity in the program.

RESPONSE: It is anticipated that females currently being committed to Mountain View School would be appropriate for the Montana Youth Alternatives Program. Few, if any, would require a level of security above that provided for the proposed program. Individual placements would be made for a female offender identified as needing a a more, secure placement.

ISSUE: Current Mountain View School staff are not being afforded the opportunity to continue employment with the Montana Youth Alternatives program.

RESPONSE: All Mountain View School staff have been notified of the positions required for the MYA program. Staff have further been advised as to when these posting will be made. The provider has been required to give first consideration to displaced staff who meet qualifications. All staff have been counselled by the Montana Job Service Division regarding benefits related to relocation, training, and other related issues.

DEPARTMENT OF FAMILY SERVICES



MARC RACICOL GOVERNOR

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

STATE OF MONTANA

HANK HUDSON, DIRECTOR

PO BOX 8005 HELENA, MONTANA 59604-8005

TO:

Human Services Appropriations Subcommittee

FROM:

Al Davis, Administrator

Juvenile Corrections Division

RE:

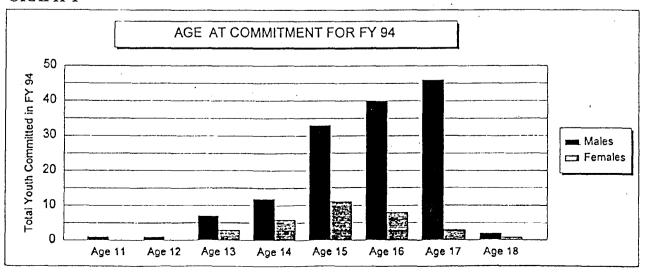
Montana Youth Alternatives Education Issue

Montana Youth Alternatives provides a high impact experience which incorporates four programs (Phase I 30-day Orientation, Phase II 52-day Outdoor/Wilderness, Phase III 60-day, Transition, and Phase IV 60 day Aftercare) into a unified educational plan. Each program incorporates curriculum through which the youths educational deficits are met. Education is considered vital!

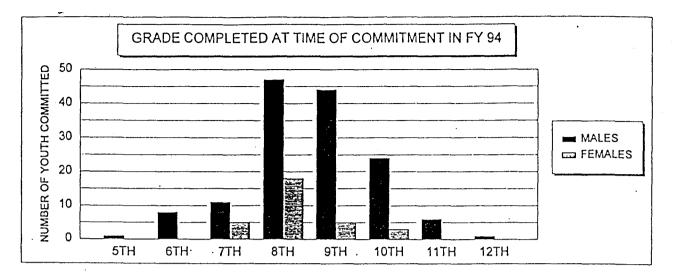
The education curriculum has been carefully selected so that a philosophy of experiential education is consistently followed. Academically designed objectives, coupled with a low student to staff ratio provides a unique opportunity for students to achieve real and meaningful successes. The education component's major function is to support growth through building student self-esteem.

The Montana Office of Public Instruction, has approved the curriculum which is designed to effectively reach "at risk students". It is generally the case that adjudicated delinquent students are failing in the traditional school setting. While the greatest number of youth committed are age 17 for males and age 15 for females the greatest number of commitments have only completed the eighth grade (see graphs 1 & 2). More often the reasons for that failure are unrelated to ability or to deficits in essential academic skills. Because of this, efforts are directed toward helping students develop positive attitudes toward learning and choosing goals which are meaningful and relevant.

GRAPH 1



GRAPH 2



Elective credits are officially granted to students who successfully complete program objectives. The program is authorized by the Montana Office of Public Instruction to issue secondary elective credits in English, Math, Sociology, Science, and Physical Education/Health. Students may receive one full unit of credit equally divided among the various courses or may elect to receive semester credits in two of the five subjects offered. These credits will transfer to their home school upon completion of the program.

Montana Youth Alternatives has developed "draft" education curriculum outlines. The program is also working with Carroll College in Helena to assist in providing a more complete academic experience. Some of the commonly asked questions with answers are provided to give clarification to education related questions:

1. Will the education offerings afforded by Montana Youth Alternatives keep student from falling behind in school?

Answer: Schools in Montana are required to accept credits from the MYA program. The majority of students involved are at least two years behind in school and failing. The curriculum is designed to challenge students in a manner that allows success when returning to their home schools.

2. Are accelerated programs available for students who are at, or above, grade level?

Answer: Yes. Each program is tailored to meet the individual needs of each student. Students are academically challenged based on their individual potential.

3. Are instructors in Montana Youth Alternatives qualified?

Answer: Yes. All academic instructors in all phases of MYA are certified and licensed in the state of Montana. In addition to standard certification requirements, instructors are required to possess special skills in dealing with youth at risk.

4. Does MYA provide for the students requiring special education demands?

Answer: Yes. One instructor in the First Phase will be required to have a special education endorsement. All instructors in the Wilderness and Transition Phase are Special Ed endorsed.

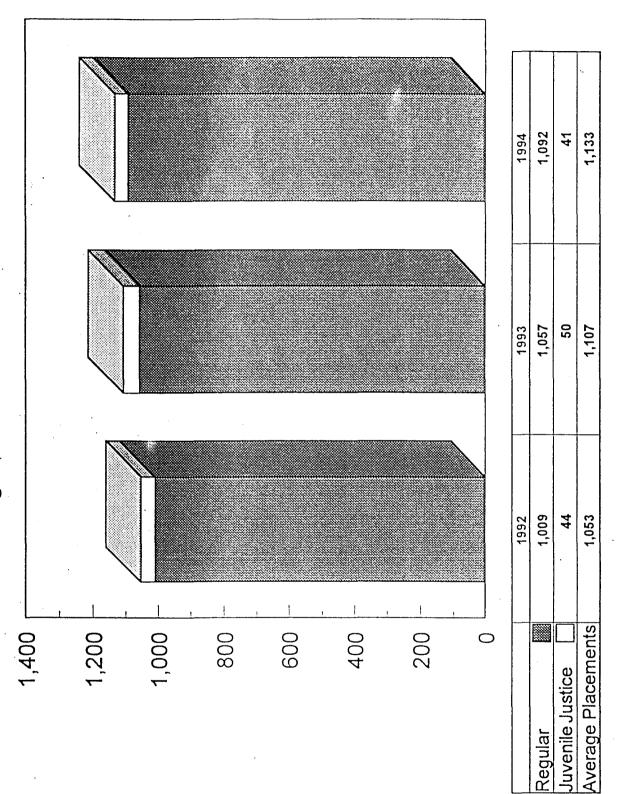
5. How will the home school system know that students have earned credits from MYA?

Answer: When a youth completes the MYA program, they receive a transcript of credit from Pine Hills School. That transcript will have the school title and address information on it. Pine Hills School is an accredited school which has been assigned to act as the "school district" authority. Home schools of youth will be contacted during the First Phase to assist in the development of the youths academic plan. It is anticipated that special arrangements can be made for those youth having unique needs through this collaboration.

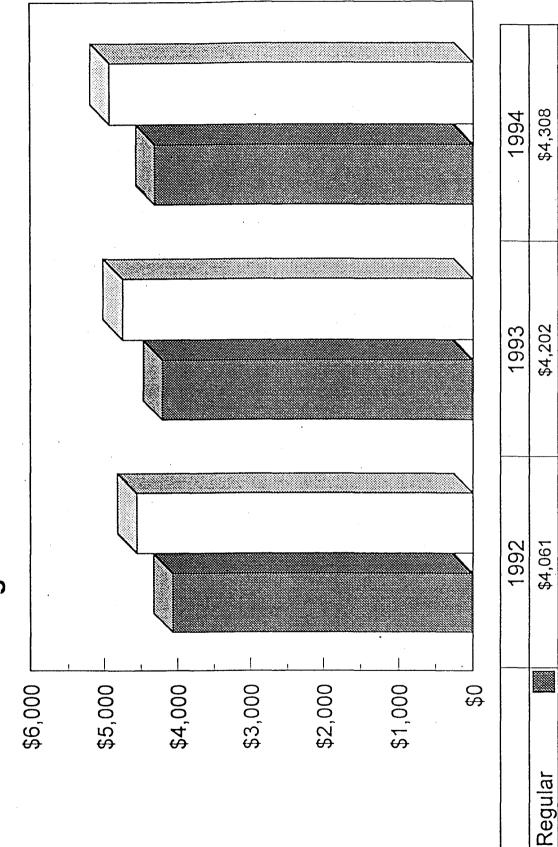
6. Will the state of Montana lose federal education dollars currently being collected?

Answer: No. The student census which provides the basis for federal school funds, will include the total of students in MYA, as well as Pine Hills School.

Family Foster Care
Average Annual Placements



Family Foster Care Average Annual Cost of Placements



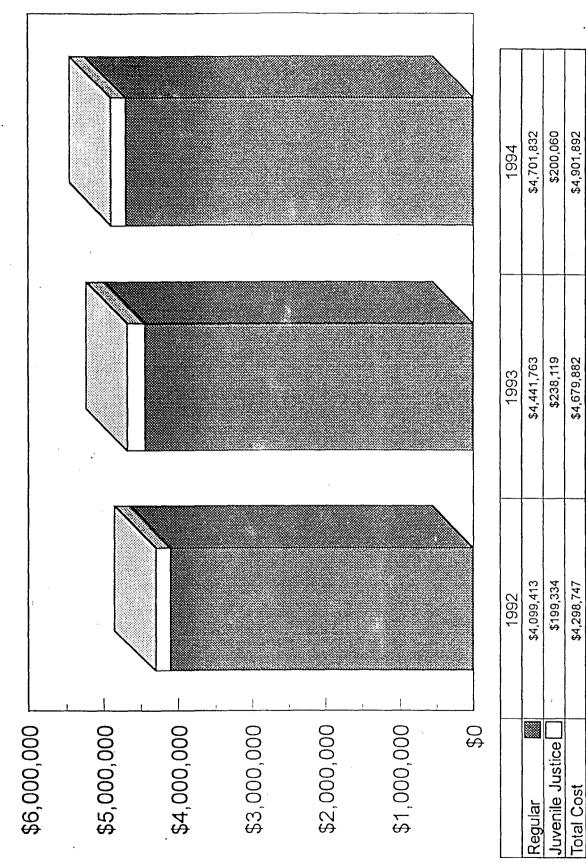
\$4,931

\$4,753

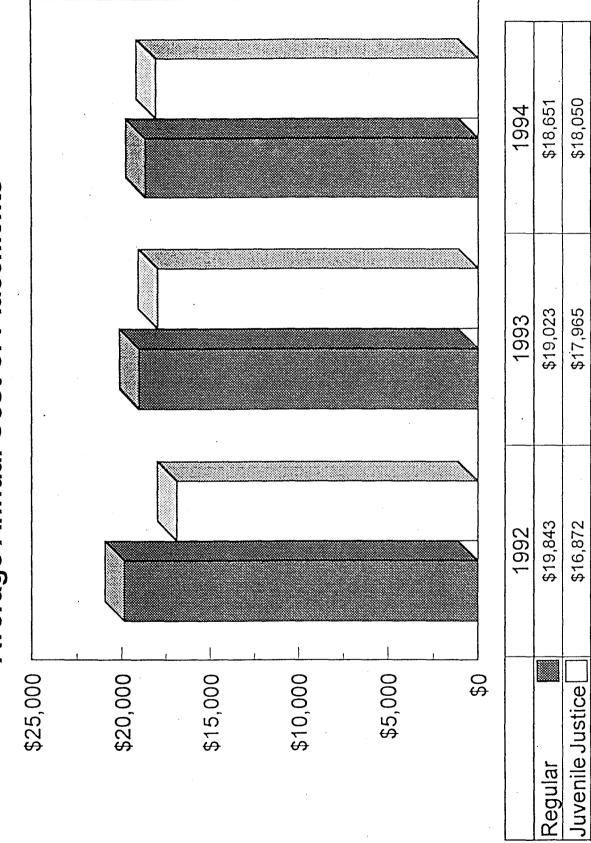
\$4,556

Juvenile Justice

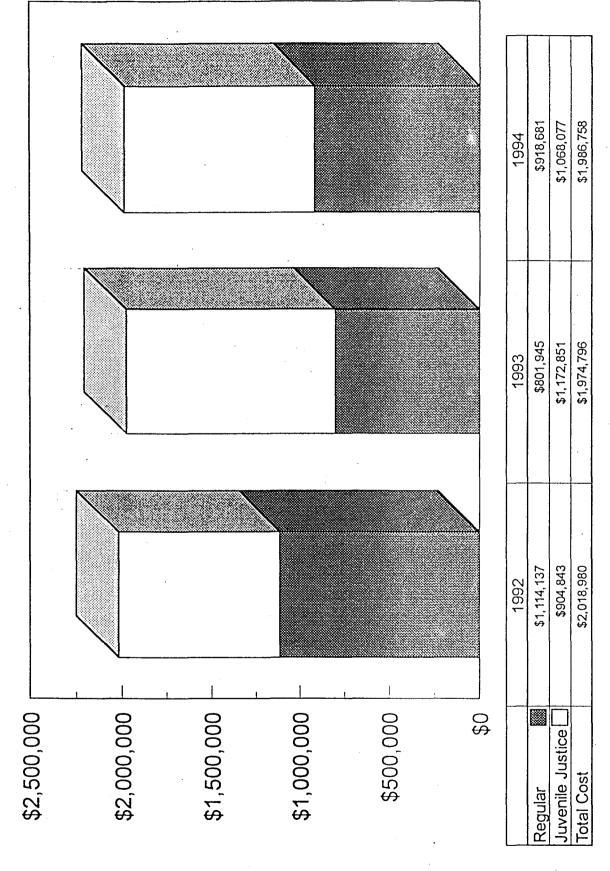
Family Foster Care Total Annual Cost of Placements



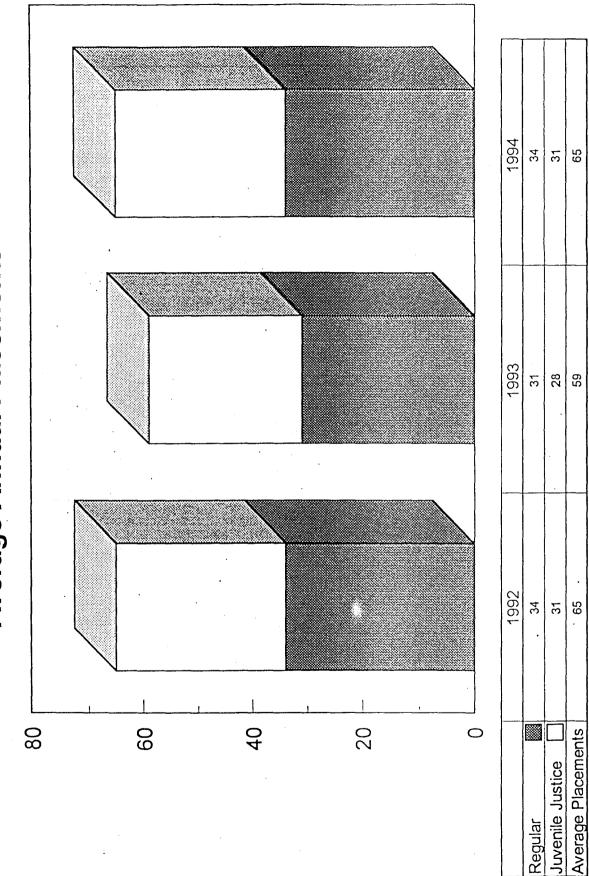
Group Home Average Annual Cost of Placements



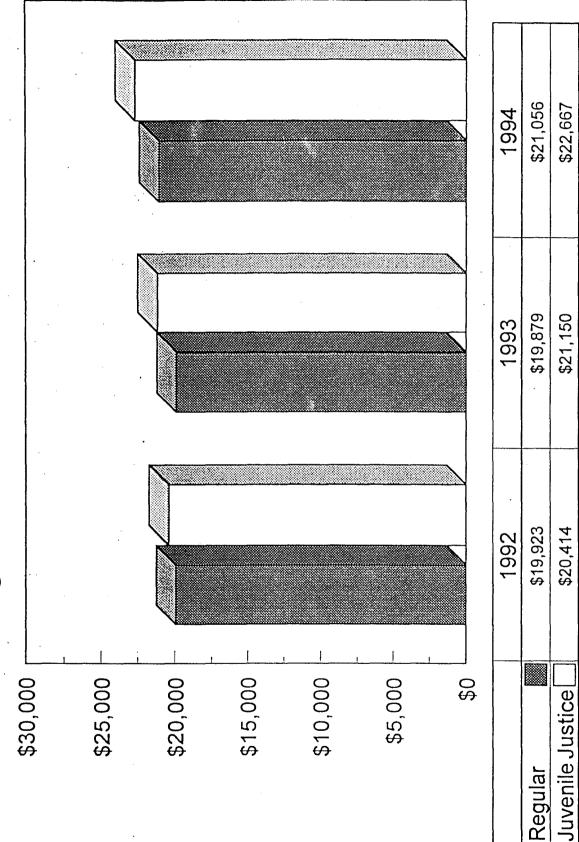
Group Home Total Annual Cost of Placements



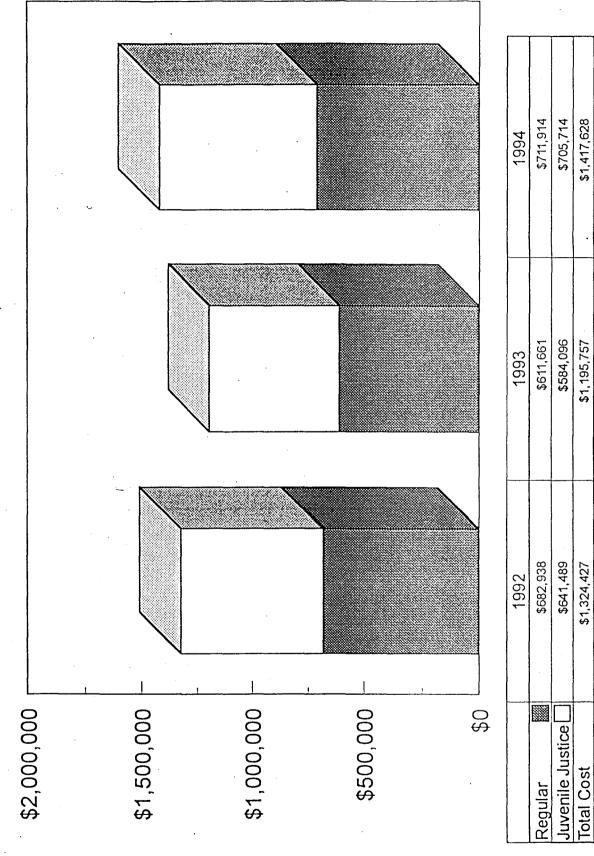
Shelter Care Average Annual Placements



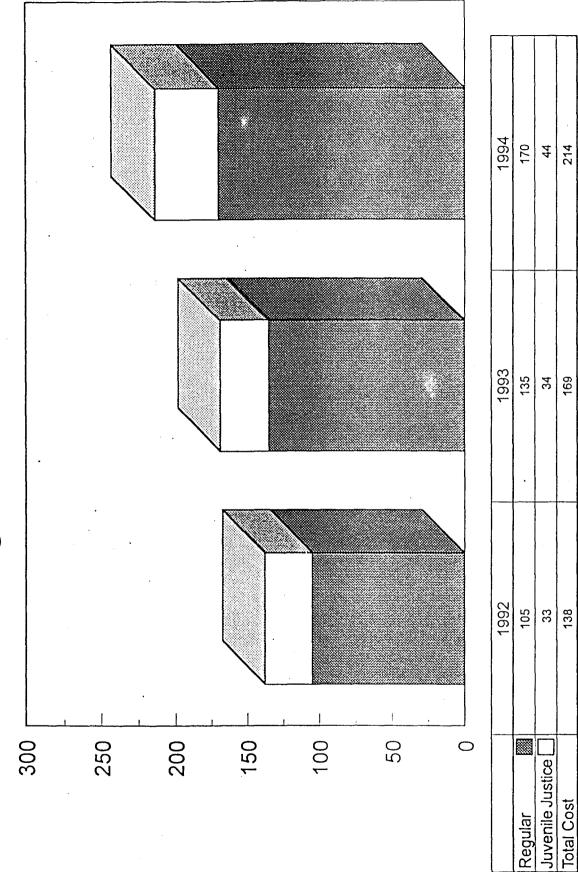
Average Annual Cost of Placements Shelter Care



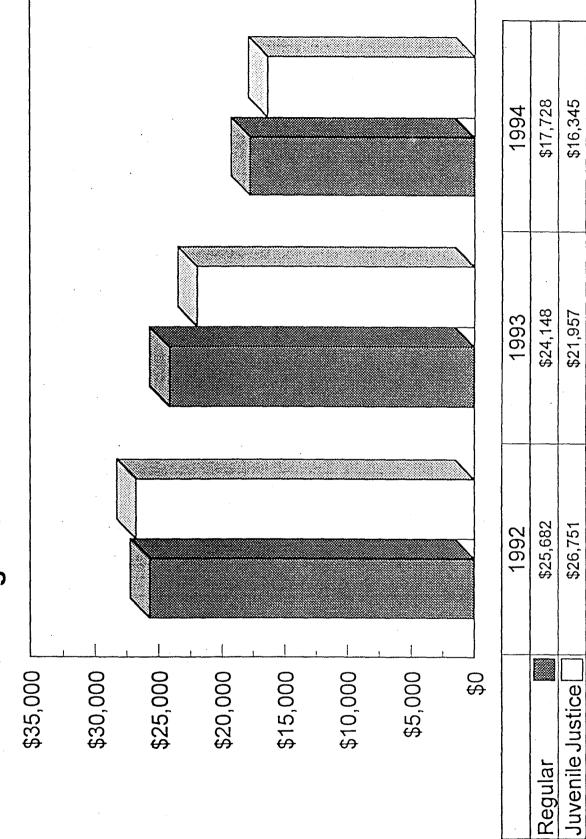
Shelter Care Total Annual Cost of Placements



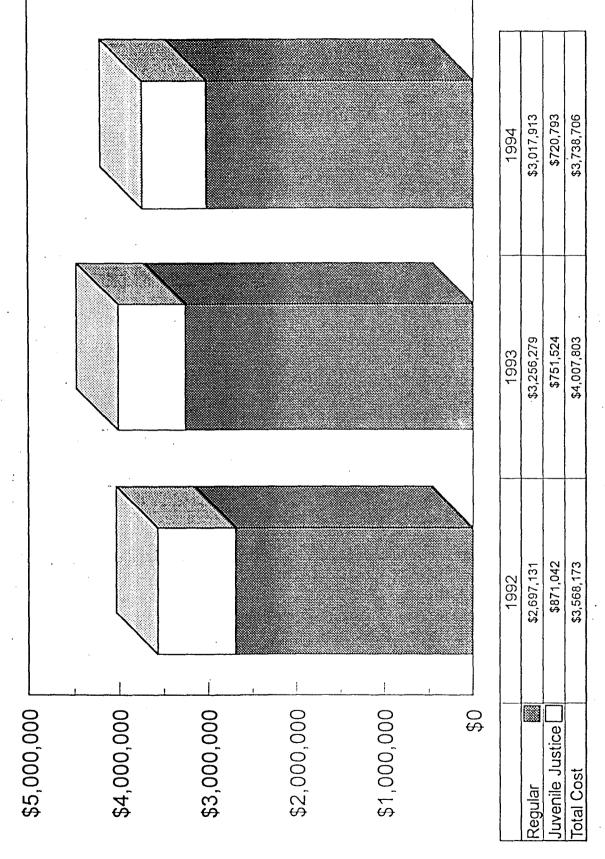
In-State Treatment Average Annual Placements



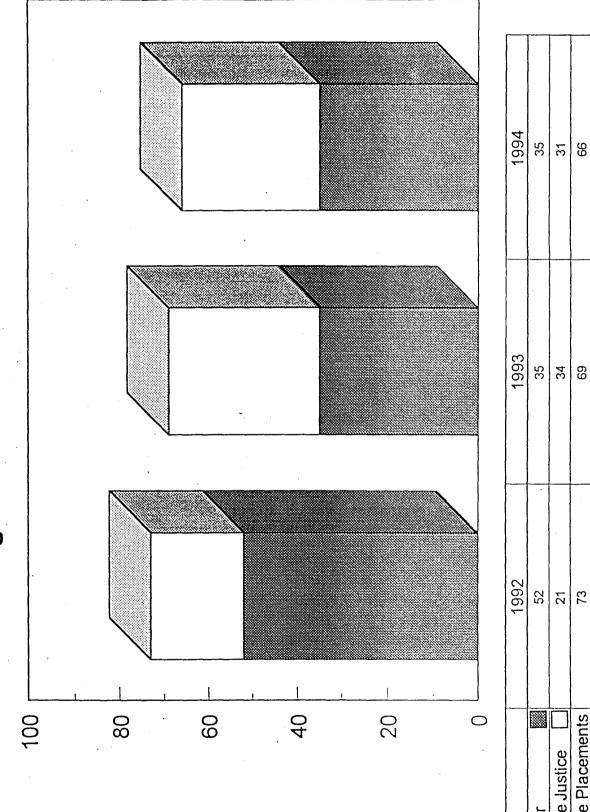
In-State Treatment Average Annual Cost of Placements



In-State Treatment Total Annual Cost of Placements

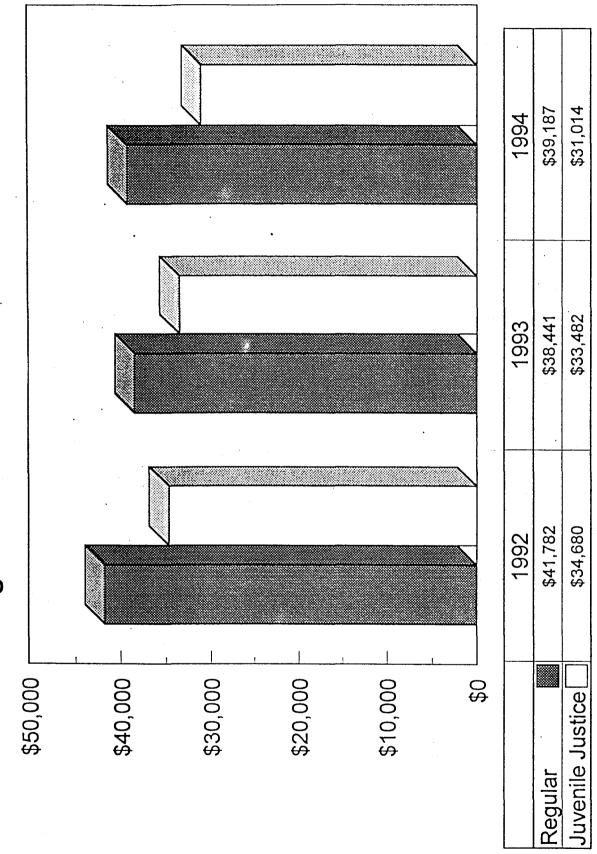


Average Annual Placements Out-of-State Treatment

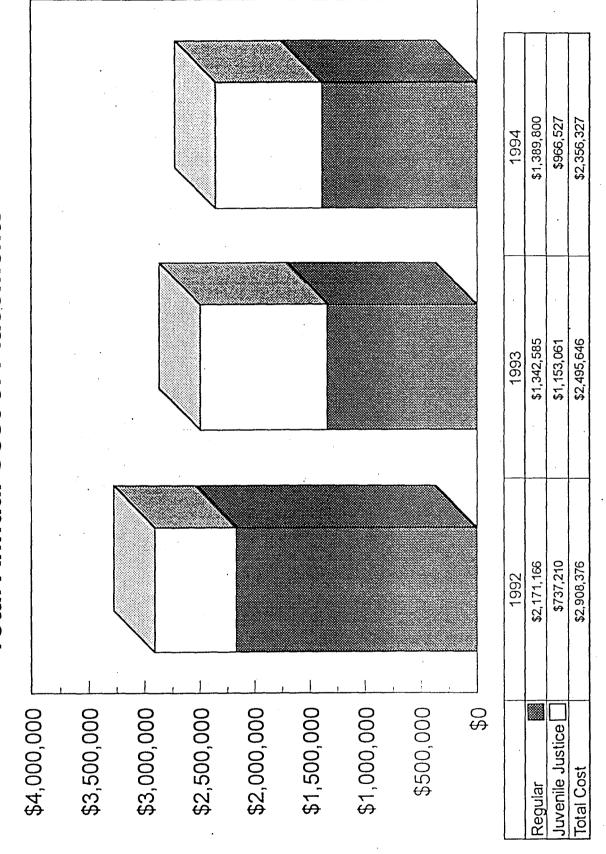


	1992	1993	1994
Regular	52	35	35
Juvenile Justice	21	34	31
Average Placements	73	69	99

Out-of-State Treatment Average Annual Cost of Placements



Out-of-State Treatment Total Annual Cost of Placements



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