CHAPTER NO. 665

HOUSE BILL NO. 647

INTRODUCED BY HARRINGTON, JOHNSON, COONEY, HOLMES, VINCENT, MENAHAN, McBRIDE, O'CONNELL, DAILY, PAVLOVICH, QUILICI, FRATES, KANDUCH, BRAND, METCALF, HARPER, GESEK, HUENNEKENS, UHDE, GILLIGAN, TEAGUE, ELLIS, DOZIER, MEHRENS, MANNING, STIMATZ, SHELDEN, HEALY

IN THE HOUSE

February 8, 1979	Introduced and referred to Select Committee on Aging.
February 22, 1979	Rereferred to Committee on Appropriations.
March 26, 1979	Committee recommend bill do not pass. Report adopted.
	Objection raised to adverse committee report. Bill placed on second reading.
March 27, 1979	Printed and placed on members' desks.
	Second reading, do pass as amended.
	Correctly engrossed.
	Third reading, passed. Transmitted to second house.
IN THE SEN	ATE
March 27, 1979	Introduced and referred to Committee on Finance and Claims.
April 5, 1979	Committee recommend bill be concurred in. Report adopted.
April 7, 1979	Motion pass consideration.
April 9, 1979	Motion pass consideration.

April 10, 1979

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April 12, 1979

Second reading, concurred in.

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Third reading, concurred in.

IN THE HOUSE

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April 13, 1979

Returned from second house. Concurred in. Sent to enrolling.

Reported correctly enrolled.

TLAS ATLA NO. 647 1 Brond WECOUP 53-5-302, AND 53-5-303, MCA." BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 53-5-101. NCA. is amended to read: #53-5-101. Functions of department of social 10 and 11 rehabilitation services. The department of social and rehabilitation services shall: 12 13 (1) consult with and advise organized efforts by 14 communities, organizations, associations, and proups that 15 are working toward any forms of assistance to problems of 16 aging: 17 (2) study and identify problems of aging; 18 (3) review existing programs for the aging and make 19 recommendations to the governor and the legislature for 20 improvements in such programs; 21 (4) encourage the sponsorship of community projects which will seek to make optimum use of the time and talents 22 23 of retired personswi 24 [5] coordinate, through area councils on aging, the 25 delivery of community-based care, including but not limited

1 to home health care. homemaker services. foster home care. 2 nutritions transportations winterizations information and 3 referral, and recreation." 4 Section 2. Section 53-5-302, MCA, is amended to read: #53-5-302. Definitions. As used in this part, the 5 following definitions apply: 7 (1) "Adult foster family care homes" means private homes owned by one or more persons 18 years of age or older , which offer light personal care or custodial care to eged a persons or disabled adults who are not related to the owner 10 11 by blood or marriage or which offer light personal care or 12 custodial care to aged persons. 13 (2) "Aged person" means a person defined by the 14 department as aged. (3) "Custodial care" means providing a sheltered. 15 family-type setting for an aged person or disabled adult so 16 17 as to provide for his basic needs of food and shelter and having a specific person available to help him meet his 18 19 basic needs. 20 (4) "Department" means the department of social and 21 rehabilitation services. 22 (5) "Disabled adult" means a person 18 years of age or older defined by the department as disabled. 23 24 (6) "Light personal care" means assisting the aged person or disabled adult in accomplishing such personal 25 HP 647 INTRODUCED BILL hygiene tasks as bathing, dressing, hair grooming, and
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6 nurse under orders of an attending physician."

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15NEW_SECTION_ Section 4. Liability insurance for16foster home care. The state shall provide liability17insurance for licensed foster home care vendors.

18 <u>NEW SECTION</u> Section 5. Homemaker services. The department shall make available homemaker services for all andicaid eligible senior citizens 60 years of age or older who are in need of these services.

NEW_SECTION. Section 6. Payment for licensed foster
 home care. The state shall pay licensed foster home care
 vendors a minimum of \$270 a month for each resident.

-End-

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		STATE OF MONTAL		
		RICOAL NOTE		Request No. <u>396-79</u>
		FISCAL NOTE		Form BD-15
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subr 196! this	compliance with a writter mitted a Fiscal Note for 5 - Thirty-Ninth Legislat s Fiscal Note is availabl the Legislature upon requ	House Bill 647 pure ive Assembly. Backgro e from the Office of H	suant to Chapter ound information	53, Laws of Montana, used in developing
DES	CRIPTION OF PROPOSED LEGI	SLATION:		
flou	se Bill 647 generally rev	vises the laws concern	ing adult foster	care.
ASSI	UMPTIONS:			
1.	There are currently 162 residents. The current SSI and \$49.00 state pa SSI amount.	total adult foster fa	amily care payme	ent is \$164.40 of fede
2.	Liability insurance for adult foster family car			· ·
	Liability insurance for adult foster family car children. The exten s ion of homema years of age or older w	e homes and \$210,000 p ker services to all Mo ould require an addit:	per year for fos edicaid eligible ional 73 FTE to	ster homes serving e senior citizens 60 serve an additional
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LOCAL IMPACT:

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See above. Also, counties pay one-half of foster care for children. If the minimum payment of \$270 per month is applied to foster home rates for children, the cost to the counties would increase \$521,640 per year.

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Continued on Page 2

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TECHNICAL NOTE:

The proposed legislation apparently authorizes but does not mandate that the Department pay for adult foster family home care services to:

1. An additional 60 persons who could be served if the limit on the number of residents per home is raised from 3 to 4 (cost \$76,032 per year not included above).

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2. An additional 2,000 persons who would be eligible for foster care payments for care provided by relatives (cost \$4,049,520 per year not included above).

46th Legislature

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Comm. on Appropriations

Objection Raised to Adverse Committee Report

BILL NO. 647 XNTRODUCED BY Venna ACT TO GENERALLY REVISE ERVICES: AMENDING SECTIONS 53-5-101 53-5-303. BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 53-5-101, MCA, is amended to read: #53-5-101. Functions of department of social and 10 rehabilitation services. The department of social 11 and rehabilitation services shall: 12 (1) consult with and advise organized efforts by 13 communities, organizations, associations, and groups that 14 are working toward any forms of assistance to problems of 15

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18 (3) review existing programs for the aging and make
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 25 <u>delivery of community-based care+ including but not limited</u>

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THIRD READING

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 20
 NEW_SEGIIONx--Section-4--Liability----insurance----for

 21
 foster--home--care----The--state--shall--provide---liability

 22
 insurance-for-licensed-foster-home-care-vendors*

 23
 NEW_SEGIIONx--Section-5*--Homenaker----services*----The

 24
 department-shall-make-available-homemaker-services--for--sil

 25
 medicaid--eligible--senior-citirens-68-years-of-age-or-older

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1 who-are-in-need-of-these-services.

- 2 <u>NEW-SECTIONs--Section-6--Payment-for--ticensed--foster</u>
- 3 home--careu---The--state-shall-pay-licensed-faster-home-care
- 4 vendors-s-sinimum-of-\$278-s-month-for-each-residents

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HOUSE BILL NO. 647 1 INTRODUCED BY HARRINGTON. JOHNSON. COONEY, HOLMES. 2 VINCENT. MENAHAN, MCBRIDE, O'CONNELL, DAILY. 3 PAVLOVICH, QUILICI, FRATES, KANDUCH, BRAND, 4 METCALF, HARPER, GESEK, HUENNEKENS, UHDE, 5 GILLIGAN, TEAGUE, ELLIS, DOZIER, MEHRENS, 6 7 MANNING, STIMATZ, SHELDEN, HEALY 8 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE 9 LAWS CONCERNING ADULT SERVICES: AMENDING SECTIONS 53-5-101. 10 53-5-302, AND 53-5-303, MCA.* 11 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 13 Section 1. Section 53-5-101, MCA, is amended to read: 14 *53-5-101. Functions of department of social and 15 rehabilitation services. The department of social and 16 rehabilitation services shall: 17 18 (1) consult with and advise organized efforts by communities, organizations, associations, and groups that 19 20 are working toward any forms of assistance to problems of 21 aging; (2) study and identify problems of aging; 22 (3) review existing programs for the aging and make 23 recommendations to the governor and the legislature for 24 25 improvements in such programs;

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 20
 NEW-SECTION_--Section-4w--Liebility----insurance-for

 21
 foster--home--carew---The--state--shall--provide---liebility

 22
 insurance-for-licensed-foster-home-care-vendorsw

 23
 NEW-SECTION_--Section-5w--Homewaker----servicesw----The

 24
 department-shall-make-available-homemaker-services--for--ell

 25
 mediceid-coligible--senior-citizens-60-years-of-aga-or-older

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1 who-are-in-need-of-these-services.

- 2 <u>NEW-SECTIONs--Section-6s--Payment-for--1+censed--foster</u>
- 3 home--cares--The--state-shell-pay-licensed-foster-home-care
- 4 vendors-c-minimum-of-1270-a-month-for-each-residents

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