

CHAPTER NO. 1665

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 SENATE

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

Second reading, concurred in.

April 12, 1979

Third reading, concurred in.

IN THE HOUSE

April 13, 1979

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

Reported correctly enrolled.

1 hygiene tasks as bathing, dressing, hair grooming, and
2 supervision of prescriptive medicine administration, but not
3 administration of prescriptive medications.

4 (7) "Skilled nursing care" means 24-hour care
5 supervised by a registered nurse or a licensed practical
6 nurse under orders of an attending physician."

7 Section 3. Section 53-5-303, MCA, is amended to read:

8 "53-5-303. Purpose. In order to ensure the proper care
9 of aged persons or disabled adults in foster family care
10 homes and to implement provisions of federal law in Title
11 XX, Social Services Amendments of 1974, the department may
12 obtain, license, and supervise adult foster family care
13 homes for ~~three~~ four or fewer aged persons or disabled
14 adults in need of such care."

15 NEW SECTION. Section 4. Liability insurance for
16 foster home care. The state shall provide liability
17 insurance for licensed foster home care vendors.

18 NEW SECTION. Section 5. Homemaker services. The
19 department shall make available homemaker services for all
20 medicaid eligible senior citizens 60 years of age or older
21 who are in need of these services.

22 NEW SECTION. Section 6. Payment for licensed foster
23 home care. The state shall pay licensed foster home care
24 vendors a minimum of \$270 a month for each resident.

-End-

STATE OF MONTANA

Request No. 396-79

FISCAL NOTE

Form BD-15

In compliance with a written request received February 16, 1979, there is hereby submitted a Fiscal Note for House Bill 647 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly. Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 647 generally revises the laws concerning adult foster care.

ASSUMPTIONS:

1. There are currently 162 adult foster family care homes providing care to 180 residents. The current total adult foster family care payment is \$164.40 of federal SSI and \$49.00 state payment. It is assumed the \$270 minimum payment includes the SSI amount.
2. Liability insurance for foster home care vendors would cost \$115,000 per year for adult foster family care homes and \$210,000 per year for foster homes serving children.
3. The extension of homemaker services to all Medicaid eligible senior citizens 60 years of age or older would require an additional 73 FTE to serve an additional 2,100 clients. Cost would be \$895,000 in FY 80 and \$950,000 in FY 81.
4. Foster family home payment rates for services to children currently average \$135 per month. The bill is assumed to apply the \$270 minimum to this group of care through use of the term "payment for licensed foster home care" as compared to the phrase "adult foster family care homes" used in the definition section of the bill.

FISCAL IMPACT:

	FY 80	FY 81	Total
Personal Services	\$ 805,000	\$ 860,000	\$1,665,000
Operating Expenses	90,000	90,000	180,000
Benefits	1,490,536	1,490,536	2,981,072
Total	\$2,385,536	\$2,440,536	\$4,826,072

FUNDING INFORMATION:

General Fund	\$1,752,021	\$1,800,146	\$3,552,167
County Funds	633,515	640,390	1,273,905
	\$2,385,536	\$2,440,536	\$4,826,072

LOCAL IMPACT:

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.

Richard L. Tracy
 BUDGET DIRECTOR
 Office of Budget and Program Planning
 Date: 4/22/79

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).
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).

Comm. on Appropriations

Objection Raised to Adverse Committee Report

1 House BILL NO. 647 VINEYOT
 2 INTRODUCED BY Harmon Johnson Conroy Holroyd
 3 McBride Wally Carlson Quilley Fraser Strom
 4 Brown Metcalf Leach
 5 LAWS CONCERNING ADULT SERVICES; AMENDING SECTIONS 53-5-101, Wheeler
 6 53-5-302, AND 53-5-303, MCA." Millyea Tague Ellis
 7 Meheun Manning
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Shelton
 9 Nealy

Messiah
Kendall
Hessman
Dozier
Stewart

9 Section 1. Section 53-5-101, MCA, is amended to read:
 10 "53-5-101. Functions of department of social and
 11 rehabilitation services. The department of social and
 12 rehabilitation services shall:
 13 (1) consult with and advise organized efforts by
 14 communities, organizations, associations, and groups 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
 22 which will seek to make optimum use of the time and talents
 23 of retired persons;
 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 nutrition, transportation, winterization, information and
 3 referrals, and recreation."

4 Section 2. Section 53-5-302, MCA, is amended to read:
 5 "53-5-302. Definitions. As used in this part, the
 6 following definitions apply:

7 (1) "Adult foster family care homes" means private
 8 homes owned by one or more persons 18 years of age or older
 9 which offer light personal care or custodial care to aged
 10 persons or disabled adults who are not related to the owner
 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.

15 (3) "Custodial care" means providing a sheltered,
 16 family-type setting for an aged person or disabled adult so
 17 as to provide for his basic needs of food and shelter and
 18 having a specific person available to help him meet his
 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
 23 older defined by the department as disabled.

24 (6) "Light personal care" means assisting the aged
 25 person or disabled adult in accomplishing such personal

1 hygiene tasks as bathing, dressing, hair grooming, and
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24 recommendations to the governor and the legislature for
25 improvements in such programs;1 (4) encourage the sponsorship of community projects
2 which will seek to make optimum use of the time and talents
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20 ~~NEW-SECTION--Section-4--Liability---insurance---for~~
21 ~~foster--home--care---The--state--shall--provide---liability~~
22 ~~insurance--for--licensed-foster-home-care-vendors~~

23 ~~NEW-SECTION--Section-5--Homemaker---services---The~~
24 ~~department--shall--make--available--homemaker--services--for--all~~
25 ~~medicaid--eligible--senior--citizens--60--years--of--age--or--older~~

1 who are in need of these services

2 ~~NEW-SECTION--Section-6--Payment--for--licensed--foster~~
3 ~~home--care---The--state--shall--pay--licensed-foster-home-care~~
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