

House Bill 187

In The House

January 13, 1981	Introduced and referred to Committee on Public Health.
January 16, 1981	Fiscal note requested.
January 21, 1981	Fiscal note returned.
February 7, 1981	Committee recommend bill do not pass.  Rereferred to Committee on Appropriations.
April 23, 1981	Died in Committee.

1 HOUSE BILL NO. 187  
2 INTRODUCED BY       Haw      

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH A PERSONAL  
5 CARE FACILITIES PROGRAM."

6  
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

8 Section 1. Purpose. In order to ensure the proper care  
9 of a person released from a hospital, nursing home, room and  
10 board home, or private home but unable to properly care for  
11 himself, a personal care facility program is established  
12 under the supervision of the department.

13 Section 2. Definitions. As used in [this act], the  
14 following definitions apply:

15 (1) "Department" means the department of health and  
16 environmental sciences.

17 (2) "Personal care facility" means a facility that  
18 provides personal care and services in addition to food,  
19 shelter, and laundry services to individuals who are not in  
20 need of nursing home care.

21 (3) "Personal services" means help in feeding,  
22 walking, getting in and out of bed, dressing, washing,  
23 shaving, care of hair, bathing, preparation of modified  
24 diets, and supervision of medications.

25 (4) "Nursing home care" means 24-hour care supervised

1 by a registered nurse or a licensed practical nurse under  
2 orders of an attending physician.

3 Section 3. License required -- fee -- standards --  
4 rules. (1) No person may maintain or operate a personal care  
5 facility within the meaning of [this act] without first  
6 securing a license in writing from the department.

7 (2) The department shall by rule establish a license  
8 fee commensurate with costs.

9 (3) The department shall by rule prescribe standards  
10 and procedures under which a license for operating a  
11 personal care facility may be granted or revoked. Such  
12 standards shall include but are not limited to those  
13 relating to:

14 (a) competency and moral character of the operator;  
15 and

16 (b) adequacy and sanitary condition of the facility.

17 Section 4. General rulemaking authority. The  
18 department may adopt rules it considers necessary for the  
19 proper administration of [this act].

20 Section 5. Inspection of facility -- revocation of  
21 license. The department may inspect all licensed personal  
22 care facilities and may revoke an operator's license for  
23 failure to observe department rules. The operator shall give  
24 the department any information that may be required and  
25 afford the department every reasonable opportunity for

1 observing the operation of the facility.

2 Section 6. Financial assistance provided. The  
3 department of social and rehabilitation services shall  
4 provide financial assistance to persons eligible for  
5 medicaid who are in need of personal services.

6 Section 7. Limitation on care offered. The type of  
7 care offered by personal care facilities must be personal  
8 care and services and may not include nursing home care, nor  
9 are personal care facilities appropriate for those persons  
10 who are able to live in their own home or in a licensed room  
11 and board home.

-End-

## STATE OF MONTANA

REQUEST NO. 117-81

## FISCAL NOTE

Form BD-15

In compliance with a written request received January 16, 19 81, there is hereby submitted a Fiscal Note for House Bill 187 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

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

This an action to establish a Personal Care Facility Program within the state of Montana.

Fiscal Impact to the Department of Health & Environmental Sciences

1. Inflation will continue at approximately 15% per annum.
2. There are approximately 20 facilities requiring an annual inspection as described within the legislation.
3. One inspector will be hired to visit the facilities and prepare the written report.

The personal services for one fulltime equivalent at a Grade 15 would be \$23,626 in 1982 and \$27,200 in 1983.

The operational costs would be \$4,284 in 1982 and \$4,900 in 1983.

Capital equipment will have be purchased in 1982 in the amount of \$650.

The total cost for the biennium for the Department of Health & Environmental Sciences would then equal \$60,660 which would have to be borne by the General Fund.

Fiscal Impact to the Department of Social & Rehabilitation Services

1. Personal care cost per month of \$525.
2. A SSI payment of \$287 per month.
3. A growing caseload to 500 persons by the end of the biennium consisting of:
  - 100 persons now in boarding homes
  - 100 persons now in nursing homes
  - 300 new population

It is estimated the proposal would increase the expenditures of the Department of Social & Rehabilitation Services as follows:

	<u>FY 1982</u>	<u>FY 1983</u>
General Fund	\$484,933	\$1,298,867
Federal Funds	(152,200)	(339,400)
Total	\$332,733	\$ 958,867

*David M. Lewis*  
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-21-81