

SENATE BILL NO. 4

1st Special Session

Introduced and Referred to Committee on Finance & Claims:  
11/16/81

Hearing: 11/19/81

Report: 11/23/81, Do Pass

2nd Reading: 11/23/81, Do Pass

3rd Reading: 11/23/81

Transmitted to House: 11/23/81

Referred to Committee on Local Government: 11/24/81

Hearing: 11/24/81

Report: 11/24/81, Be Not concurred In

Report Adopted: 11/24/81

Returned to Senate: 11/24, Be Not Concurred In

*Special Session I**Senate Bill No. 4*1      INTRODUCED BY REGAN2      BY REQUEST OF THE DEPARTMENT OF  
3      SOCIAL AND REHABILITATION SERVICES4      A BILL FOR AN ACT ENTITLED: "AN ACT TO REAPPORTION THE  
5      FINANCIAL RESPONSIBILITY FOR GENERAL ASSISTANCE, COUNTY  
6      MEDICAL ASSISTANCE, AND MEDICAID BETWEEN THE COUNTIES AND  
7      THE STATE; AMENDING SECTIONS 53-3-306 AND 53-3-307, MCA; AND  
8      PROVIDING AN EFFECTIVE DATE."

9      BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10     Section 1. Section 53-3-306, MCA, is amended to read:  
11     "53-3-306. County liability for general relief. (1)  
12     General relief assistance shall be paid from the poor fund  
13     of the county where the eligible person resides.14     (2) Within legislative appropriations, the department  
15     shall reimburse to the county 50% of the allowable general  
16     relief paid by the county.17     (2) A person who leaves Montana with the intent to  
18     reside in another state and later returns to reside in  
19     Montana is considered a new resident for the purposes of  
20     this chapter and 53-2-610(3).21     (3) When a person who receives general relief  
22     assistance moves to reside in another county, he becomes the1      financial responsibility of the new county from the date he  
2      begins to reside in that new county."3      Section 2. Section 53-3-307, MCA, is amended to read:  
4      "53-3-307. County portion of county medical assistance  
5      not to be paid from state funds ----exception. (1) County  
6      medical assistance under 53-3-103 shall not be entitled to  
7      be paid from state funds Within legislative appropriations,  
8      the department shall pay the county 50% of the allowable  
9      county medical assistance costs under 53-3-103a.10     (2) Medical expenses arising from accidental injury to  
11     interstate transients shall be paid from county funds and  
12     reimbursed by the state upon submission of a proper claim."13     NEW SECTION. Section 3. County share of  
14     participation. The county where a recipient of medical  
15     assistance resides shall reimburse the department of social  
16     and rehabilitation services in the amount of 5% of the  
17     recipient's approved medical assistance grant, exclusive of  
18     the federal share.19     Section 4. Codification instruction. Section 3 is  
20     intended to be codified as an integral part of Title 53,  
21     chapter 6, part 1, and the provisions of Title 53, chapter  
22     6, part 1, apply to section 3.23     Section 5. Effective date. This act is effective on  
24     January 1, 1982.

-End-

## STATE OF MONTANA

REQUEST NO. 1-SP-81

## FISCAL NOTE

Form BD-15

November 16 81

In compliance with a written request received November 16, 1981, there is hereby submitted a Fiscal Note for Senate Bill 4 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.

Special session senate bill No. 4 would reapportion the financial responsibility for general assistance, county medical assistance and medicaid between the counties and the state. County general relief and county medical assistance currently paid entirely by county funds would be paid one-half from county funds and one-half from state funds. Counties would be required to pay 5% of the non-federal share of medicaid. Counties currently do not participate in the costs of medicaid.

It is estimated funding would be reallocated as follows:

FY 82 (Jan.-July)

FY 83

	<u>State Funds</u>	<u>County Funds</u>	<u>State Funds</u>	<u>County Funds</u>
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Current:

## County assistance

& Medical	\$ 0	\$ 4,083,130	\$ 0	\$ 9,023,718
Medicaid	<u>15,523,964</u>	<u>0</u>	<u>32,956,082</u>	<u>0</u>
Total current	\$15,523,964	\$4,083,130	\$32,956,082	\$9,023,718

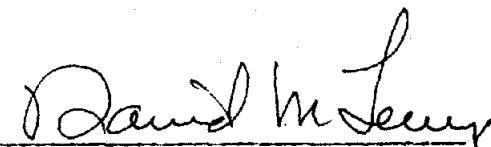
Proposed:

## County Assistance

& Medical	\$ 2,041,565	\$ 2,041,565	\$ 4,511,859	\$ 4,511,859
Medicaid	<u>14,747,766</u>	<u>776,198</u>	<u>31,308,278</u>	<u>1,647,804</u>
Total proposed	\$16,789,331	\$2,817,763	\$35,820,137	\$6,159,663

## Increase

(Decrease)	\$ 1,265,367	(\$1,265,367)	\$ 2,864,055	(\$2,864,055)
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BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 11/17/81

SECOND READING

MISSING

STATEMENT OF INTENT  
SENATE BILL NO. 4 (1st SS)

4 A statement of intent is necessary for this bill  
5 because sections 1 and 2 grant rulemaking authority to the  
6 department of social and rehabilitation services.

7 The department is to make rules defining reasonable and  
8 necessary expenses of a county poor fund for state  
9 participation. The rules are expected to be guidelines that  
10 adequately forewarn counties as to the expenses that they  
11 can reasonably expect to be recognized by the state, yet not  
12 restrict a county's ability to locally operate its  
13 assistance program except insofar as a legitimate state  
14 interest is involved because of state financial  
15 participation.

16 The department may also adopt guidelines for state  
17 approval of work programs. It is preferred that the  
18 department will establish minimum and perhaps maximum  
19 standards allowing a county latitude in formulating a  
20 meaningful work program based upon its caseload and  
21 geographical location. The county plan adopted with these  
22 guidelines would then be subject to department approval.

23 Because of the uniqueness of this act, the department  
24 may adopt rules governing the administration of the state  
25 participation. Such matters as county reporting, methods of

1 application, manner of reimbursement, and other matters  
2 which if properly addressed by rule will prevent repetitious  
3 ad hoc decisions relating to different counties and, within  
4 the bounds of law, to provide simple and economical  
5 administration of state participation to encourage county  
6 work programs.

1 SENATE BILL NO. 4 (1st SS)  
2 INTRODUCED BY REGAN, S. BROWN, GRAHAM,  
3 ECK, J. JACOBSON, HEALY, RYAN, CONOVER,  
4 TOME, BLAYLOCK, MAZUREK, BERG, HAFFEY, STIMATZ  
5 BY REQUEST OF THE DEPARTMENT OF  
6 SOCIAL AND REHABILITATION SERVICES

7  
8 A BILL FOR AN ACT ENTITLED: "AN ACT TO REAPPORTION THE  
9 FINANCIAL RESPONSIBILITY FOR GENERAL ASSISTANCE - COUNTY  
10 MEDICAL-ASSISTANCE-AND-MEDICAID-BETWEEN-THE-COUNTIES-AND IF  
11 A COUNTY HAS A WORK PROGRAM THE STATE; AMENDING SECTIONS  
12 53-3-306 AND 53-3-307, MCA; AND PROVIDING AN EFFECTIVE DATE  
13 AND TERMINATION DATE."

14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 Section 1. Section 53-3-306, MCA, is amended to read:  
16 "53-3-306. County liability for general relief. (1) General relief assistance shall be paid from the poor fund of the county where the eligible person resides.

17 (2) Within legislative appropriations, the department shall reimburse to the county 50% 29% 50% of the allowable general relief paid by the county, EXCEPT FOR A SUBSIDY TO A MEDICAL FACILITY, IF:

18 (a) SUCH COUNTY EXPENDITURES WERE REASONABLE AND NECESSARY, ACCORDING TO CRITERIA SET BY THE DEPARTMENT IN

1 IIS RULES ADOPTED FOR SUCH PURPOSES FOR THE COUNTY TO MEET  
2 IIS OBLIGATIONS UNDER LAW TO PROVIDE ASSISTANCE TO THE  
3 NEEDY; AND  
4 (B) THE COUNTY PARTICIPATES IN OR OPERATES A WORK  
5 PROGRAM AS AUTHORIZED BY 53-3-304, THAT HAS BEEN APPROVED  
6 BY THE DEPARTMENT.

7 ~~(2) A person who leaves Montana with the intent to~~  
8 ~~reside in another state and later returns to reside in~~  
9 ~~Montana is considered a new resident for the purposes of~~  
10 ~~this chapter and 53-2-610(3).~~

11 ~~(3) When a person who receives general relief~~  
12 ~~assistance moves to reside in another county, he becomes the~~  
13 ~~financial responsibility of the new county from the date he~~  
14 ~~begins to reside in that new county.~~

15 Section 2. Section 53-3-307, MCA, is amended to read:  
16 "53-3-307. County ~~portion of county~~ medical assistance not to be paid from state funds ---exception. (1) County medical-assistance-under-53-3-103-shall-not-be-entitled-to be-paid-from-state-funds. Within legislative appropriations the department shall pay the county 50% 29% 50% of the allowable county medical assistance costs under 53-3-103, EXCEPT FOR A SUBSIDY TO A MEDICAL FACILITY, IF:  
23 (a) SUCH COUNTY EXPENDITURES WERE REASONABLE AND NECESSARY, ACCORDING TO CRITERIA SET BY THE DEPARTMENT IN IIS RULES ADOPTED FOR SUCH PURPOSES FOR THE COUNTY TO MEET

1 ITS OBLIGATIONS UNDER 53-3-1031 AND  
2 (B) THE COUNTY PARTICIPATES IN OR OPERATES A WORK  
3 PROGRAM AS AUTHORIZED BY 53-3-304, THAT HAS BEEN APPROVED  
4 BY THE DEPARTMENT.

5 (2) Medical expenses arising from accidental injury to  
6 Interstate transients shall be paid from county funds and  
7 reimbursed by the state upon submission of a proper claim."

8 ~~NEW SECTION~~—Section 3v—County—~~share~~—~~of~~  
9 participation—~~the~~—~~county~~—~~where~~—~~a~~—~~recipient~~—~~of~~—~~medical~~  
10 ~~assistance~~—~~resides~~—~~shall~~—~~reimburse~~—~~the~~—~~department~~—~~of~~—~~socia~~  
11 ~~and~~—~~rehabilitati~~—~~service~~—~~in~~—~~the~~—~~amount~~—~~of~~—~~5%~~—~~of~~—~~the~~  
12 ~~recipient~~—~~a~~—~~approved~~—~~medic~~—~~assistance~~—~~grant~~—~~executive~~—~~of~~  
13 ~~the~~—~~federal~~—~~share~~

14 Section 4—Codification—Instructions—Section 3—~~is~~  
15 intended to be codified as an integral part of Title 53,  
16 chapter 6v—part 4v and the provisions of Title 53, chapter  
17 6v—part 4v apply to section 3v

18 Section 3. Effective date. This act is effective on  
19 January 1, 1982 July 1, 1982.

20 SECTION 4. TERMINATION DATE. THE PROVISIONS OF THIS  
21 ACT SHALL TERMINATE ON JUNE 30, 1983.

—End—