

HOUSE BILL NO. 312

INTRODUCED BY HART, MILLER, METCALF

BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS

IN THE HOUSE

January 18, 1983	Introduced and referred to Committee on Human Services.
February 16, 1983	Committee recommend bill do pass. Report adopted.
	Statement of Intent attached.
February 17, 1983	Bill printed and placed on members' desks.
	Second reading, do pass.
February 19, 1983	Considered correctly engrossed.
February 21, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

March 1, 1983	Introduced and referred to Committee on Public Health, Welfare and Safety.
March 23, 1983	Committee recommend bill be concurred in. Report adopted.
March 24, 1983	Second reading, concurred in.
March 28, 1983	Third reading, concurred in. Ayes, 47; Noes, 0.

IN THE HOUSE

March 28, 1983

Returned to House.

March 29, 1983

Sent to enrolling.

Reported correctly enrolled.

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 2 INTRODUCED BY Michael Smith Mitcay
 3 BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT GIVING THE DEPARTMENT
 6 OF INSTITUTIONS THE AUTHORITY TO PREPARE A COMPREHENSIVE
 7 LONG-TERM STATE CHEMICAL DEPENDENCY PLAN TO BE UPDATED EACH
 8 BIENNIUM; REQUIRING COUNTIES TO PREPARE A COMPREHENSIVE
 9 LONG-TERM CHEMICAL DEPENDENCY PLAN EVERY 4 YEARS AND PROVIDE
 10 ANNUAL UPDATES; AND GIVING RULEMAKING AUTHORITY TO THE
 11 DEPARTMENT TO SET SUBMISSION DATES FOR COUNTY PLANS AND
 12 UPDATES; AMENDING SECTIONS 53-24-204 AND 53-24-211, MCA."

13
 14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 Section 1. Section 53-24-204, MCA, is amended to read:

16 "53-24-204. Powers and duties of department. (1) To
 17 carry out this chapter, the department may:

18 (a) accept gifts, grants, and donations of money and
 19 property from public and private sources;

20 (b) enter into contracts;

21 (c) acquire and dispose of property.

22 (2) The department shall:

23 (a) approve treatment facilities as provided for in
 24 53-24-208;

25 (b) prepare ~~an annual state plan for the delivery of~~

1 ~~treatment services a comprehensive long-term state chemical~~
 2 ~~dependency plan every 4 years and update this plan each~~
 3 ~~biennium. These updates or any part thereof may be included~~
 4 ~~in the department's report to the legislature;~~

5 (c) provide for and conduct statewide service system
 6 evaluations;

7 (d) distribute state and federal funds to the counties
 8 for approved treatment programs in accordance with the
 9 provisions of 53-24-206;

10 (e) plan in conjunction with approved programs and
 11 provide for training of program personnel delivering
 12 services to alcoholics;

13 (f) establish criteria to be used for the development
 14 of new programs;

15 (g) certify and establish standards for the
 16 certification of alcoholism and drug dependence counselors;

17 (h) encourage planning for the greatest utilization of
 18 funds by discouraging duplication of services, encouraging
 19 efficiency of services through existing programs, and
 20 encouraging rural counties to form multicounty districts or
 21 contract with urban programs for services; and

22 (i) cooperate with the board of pardons in
 23 establishing and conducting programs to provide treatment
 24 for alcoholics and intoxicated persons in or on parole from
 25 penal institutions."

INTRODUCED BILL

Section 2. Section 53-24-211, MCA, is amended to read:

"53-24-211. County plan to be submitted to department.

(1) ~~by January 1 of each year. Every 4 years~~ each county must shall submit to the department a comprehensive countywide plan for the treatment, rehabilitation, and prevention of alcoholism. Each county shall also submit annual plan updates that include, at a minimum, allocation to approved programs of revenues generated by taxation on alcoholic beverages.

(2) The plan must have been approved by the board of county commissioners and must contain information regarding existing ~~nonprofit and local government~~ private and public ~~chemical dependency~~ programs within the county. The plan must also contain information regarding the current and future needs of the county for the treatment, rehabilitation, and prevention of alcoholism.

(3) The department shall approve or disapprove the countywide plan and annual updates. If the department disapproves a plan or update, the county may submit another plan or update to the department. In distributing funds to approved programs in a county, the department shall give consideration to the county plan.

~~(4) (a) After January 1 of each year, no money may be distributed to a county by the department for the treatment, rehabilitation, and prevention of alcoholism if the county~~

~~has not submitted a plan as required by subsection (1).~~

~~(b) After June 30 of each year, no money may be distributed to a county by the department for the treatment, rehabilitation, and prevention of alcoholism if a county plan has not been approved by the department.~~

~~(5) (4) The department may adopt rules regarding the submission, submission dates, updates, approval, and disapproval of plans. No money may be distributed to a county by the department for the treatment, rehabilitation, and prevention of chemical dependency if the county does not comply with these rules."~~

-End-

1 STATEMENT OF INTENT

2 HOUSE BILL 312

3 House Human Services Committee
4

5 The Department of Institutions is requesting
6 legislation that would allow the state and counties to
7 develop a comprehensive long-term plan rather than the
8 annual plans now required under 53-24-204 and 53-24-211.

9 Under section 53-24-211, the Department has existing
10 rulemaking authority regarding the submission, approval, and
11 disapproval of plans. The Department is requesting statute
12 authority that would allow long-term state and county
13 comprehensive plans. The only new rules the Department will
14 adopt under this bill will be dates for submission and
15 updating county plans.

16 These existing rules that the Legislature has allowed
17 are:

18 (a) submission dates for the county alcohol and drug
19 plans, and

20 (b) the approval date by the department, or notice of
21 disapproval.

Approved by Comm. On Human Services

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INTRODUCED BY HART, MILLER, METCALF

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A BILL FOR AN ACT ENTITLED: "AN ACT GIVING THE DEPARTMENT OF INSTITUTIONS THE AUTHORITY TO PREPARE A COMPREHENSIVE LONG-TERM STATE CHEMICAL DEPENDENCY PLAN TO BE UPDATED EACH BIENNIUM; REQUIRING COUNTIES TO PREPARE A COMPREHENSIVE LONG-TERM CHEMICAL DEPENDENCY PLAN EVERY 4 YEARS AND PROVIDE ANNUAL UPDATES; AND GIVING RULEMAKING AUTHORITY TO THE DEPARTMENT TO SET SUBMISSION DATES FOR COUNTY PLANS AND UPDATES; AMENDING SECTIONS 53-24-204 AND 53-24-211, MCA."

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(b) enter into contracts;

(c) acquire and dispose of property.

(2) The department shall:

(a) approve treatment facilities as provided for in 53-24-208;

(b) prepare an annual state plan for the delivery of

~~treatment services a comprehensive long-term state chemical dependency plan every 4 years and update this plan each biennium. These updates or any part thereof may be included in the department's report to the legislature;~~

(c) provide for and conduct statewide service system evaluations;

(d) distribute state and federal funds to the counties for approved treatment programs in accordance with the provisions of 53-24-206;

(e) plan in conjunction with approved programs and provide for training of program personnel delivering services to alcoholics;

(f) establish criteria to be used for the development of new programs;

(g) certify and establish standards for the certification of alcoholism and drug dependence counselors;

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THIRD READING

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