# HOUSE BILL NO. 312

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# 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 S	ENATE
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

March 29, 1983

Returned to House. Sent to enrolling. Reported correctly enrolled.

House BILL NO. 312 1 mil. mutcart 2 INTRODUCED BY BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT GIVING THE DEPARTMENT 5 OF INSTITUTIONS THE AUTHORITY TO PREPARE A COMPREHENSIVE 6 LONG-TERM STATE CHEMICAL DEPENDENCY PLAN TO BE UPDATED EACH 7 DIENNIUM: REQUIRING COUNTIES TO PREPARE A COMPREHENSIVE 8 LONG-TERM CHEMICAL DEPENDENCY PLAN EVERY 4 YEARS AND PROVIDE 9 ANNUAL UPDATES; AND GIVING RULEMAKING AUTHORITY TO THE 10 DEPARTMENT TO SET SUBMISSION DATES FOR COUNTY PLANS AND 11 UPDATES; AMENDING SECTIONS 53-24-204 AND 53-24-211+ MCA+\* 12 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 14 15 Section 1. Section 53-24-204, MCA, is amended to read: 16 #53-24-204. Powers and duties of department. (1) To carry out this chapter, the department may: 17 (a) accept gifts, grants, and donations of money and 18 property from public and private sources; 19 20 (b) enter into contracts; 21 (c) acquire and dispose of property. 22 (2) The department shall: (a) approve treatment facilities as provided for in 23 24 53-24-208; (b) prepare an--annual-state-plan-for-the-delivery-of 25

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 in the department's report to the legislature; 4 (c) provide for and conduct statewide service system 5 evaluations; 6 (d) distribute state and federal funds to the counties 7 for approved treatment programs in accordance with the 8 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 and establish standards for (q) certify 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 encouraging rural counties to form multicounty districts or 20 contract with urban programs for services; and 21 22 (i) cooperate with the board of pardons in 23 establishing and conducting programs to provide treatment for alcoholics and intoxicated persons in or on parole from 24 25 penal institutions." INTRODUCED BILL AB 312

1 Section 2. Section 53-24-211, MCA, is amended to read: 2 "53-24-211. County plan to be submitted to department. (1) dy-January-le-of-each-yeary Every 4 years each county 3 must shall submit to the department a comprehensive 4 countywide plan for the treatment, rehabilitation, and 5 6 prevention of alcoholism. Each county shall also submit 7 annual\_\_\_nlag\_\_updates\_that\_includes\_at\_a\_minimums\_allocation 8 to approved procrams of revenues Generated by taxation on 9 alcoholic beverages.

10 (2) The plan must have been approved by the board of 11 county commissioners and must contain information regarding 12 existing nonprofit--ond-local-government private and public 13 chemical dependency programs within the county. The plan 14 must also contain information regarding the current and 15 future needs of the county for the treatment, 16 rehabilitation, and prevention of alcoholism.

17 (3) The department shall approve or disapprove the 18 countywide plan and annual undates. If the department 19 disapproves a plan or undate, the county may submit another 20 plan or undate to the department. In distributing funds to 21 approved programs in a county, the department shall give 22 consideration to the county plan.

23. (+)--(a)-after-Jenuary-1-ofmench-yeary-normoney-may=mey=be
 24. distributed-to-a-townty-by-the-department-fon-the-treetmenty.
 25. rehabilitations-and--prevention-of-alcoholismif-the-county.

1 has-not-submitted-a-pian-as-required-by-subsection-(i)+ 2 tb}--After-dune-30--of--cach--yeary--no--monty--may--ae 3 distributed-to-a-county-by-the-department-for-tha-treatmenty 4 rehabilitationy--and--prevention--of--alcoholism-if-a-county plan-has-not-been-approved-by-the-department. 5 (5)(4) The department may adopt rules regarding the 6 7 submission, submission\_dates, updates, approval, and 8 disapproval of plans. No money may be distributed to a 9 county by the department for the treatments rehabilitation. 10 and prevention of chemical dependency if the county does not 11 comply\_with\_these\_rules\_=

-End-



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HB 312

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:

13 (a) submission dates for the county alcohol and drug19 plan. and

20 (b) the approval date by the department, or notice of21 disapproval.

### SECOND READING

in Elei-

#### 48th Legislature

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HB 0312/02

HB 312 SECOND READING

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Poproved by Comm. On Human Services

1	HOUSE BILL NO. 312	1	trestsent-services a_comprehensive_longsterm_statechemical
2	INTRODUCED BY HART. MILLER. METCALF	2	dependency_plan_every_4_years_and_update_this_plan_each
3	BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS	3	bienniumIbese_updates_or_any_part_tbereof_may_be_included
4		4	in the department's report to the legislature;
5	A BILL FOR AN ACT ENTITLED: "AN ACT GIVING THE DEPARTHENT	5	(c) provide for and conduct statewide service system
6	OF INSTITUTIONS THE AUTHORITY TO PREPARE A COMPREHENSIVE	6	evaluations;
7	LONG-TERM STATE CHEMICAL DEPENDENCY PLAN TO BE UPDATED EACH	7	(d) distribute state and federal funds to the counties
8	BIENNIUM; REQUIRING COUNTIES TO PREPARE A COMPREHENSIVE	8	for approved treatment programs in accordance with the
9	LONG-TERM CHEMICAL DEPENDENCY PLAN EVERY 4 YEARS AND PROVIDE	9	provisions of 53-24-206;
10	ANNUAL UPDATES; AND GIVING RULENAKING AUTHORITY TO THE	10	(e) plan in conjunction with approved programs and
11	DEPARTMENT TO SET SUBMISSION DATES FOR COUNTY PLANS AND	11	provide for training of program personnel delivering
12	UPDATES; AMENDING SECTIONS 53-24-204 AND 53-24-211, MCA."	12	services to alcoholics;
13		13	(f) establish criteria to be used for the development
14	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	14	of new programs;
15	Section 1. Section 53-24-204, MCA, is amended to read:	15	(g) certify and establish standards for the
16	"53-24-204. Powers and duties of department. (1) To	16	certification of alcoholism and drug dependence counselors;
17	carry out this chapter, the department may:	17	(h) encourage planning for the greatest utilization of
18	(a) accept glfts, grants, and donations of money and	18	funds by discouraging duplication of services, encouraging
19	property from public and private sources;	19	efficiency of services through existing programs, and
20	(b) enter into contracts;	20	encouraging rural counties to form multicounty districts or
21	(c) acquire and dispose of property.	21	contract with urban programs for services; and
22	(2) The department shall:	22	(i) cooperate with the board of pardons in
23	(a) approve treatment facilities as provided for in	23	establishing and conducting programs to provide treatment
24	53-24-208;	24	for alcoholics and intoxicated persons in or on parole from
25	(b) prepare <del>onannual-state-plan-for-the-delivery-of</del>	25	penal institutions."

HB 312

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10 (2) The plan must have been approved by the board of 11 county commissioners and must contain information regarding 12 existing nonprofit--and-local-government private\_and\_public 13 chemical dependency programs within the county. The plan 14 must also contain information regarding the current and 15 future needs of the county for the treatment. 16 rehabilitation, and prevention of alcoholism.

17 (3) The department shall approve or disapprove the 18 countywide plan and annual updates. If the department 19 disapproves a plan or update, the county may submit another 20 plan <u>or undate</u> to the department. In distributing funds to 21 approved programs in a county, the department shall give 22 consideration to the county plan.

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1 has-not-submitted-a-plan-as-required-by-subsection-(1)\* 2 tb)--After-June-30--of--each--yeary--no--money--may--be 3 distributed-to-a-county-by-the-deportment-for-the-treatment; rehabilitationy--and--prevention--of--alcoholism-if-a-county 5 plan-has-not-been-approved-by-the-departmenty 6 151141 The department may adopt rules regarding the 7 submission, submission\_\_dates, \_uodates, approval, and disapproval of plans. No money may be distributed to a county\_\_by\_the\_department\_for\_the\_treatment.\_rebabilitation.

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- 11 comply\_with\_these\_rules\_"

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HB 312

STATEMENT OF INTENT	
HOUSE BILL 312	
House Human Services Comm	littee

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.

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

13 (a) submission dates for the county alcohol and drug19 plan, and

(b) the approval date by the department, or notice ofdisapproval.

THIRD READING HB312 •

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1	HOUSE BILL NO. 312	1	treatzent-services <u>a</u>
2	INTRODUCED BY HART, MILLER, METCALF	2	dependeocxplanex
3	BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS	3	bienniumIbese_upda
4		4	in_the_department's_
5	A BILL FOR AN ACT ENTITLED: "AN ACT GIVING THE DEPARTMENT	5	(c) provide for
6	OF INSTITUTIONS THE AUTHORITY TO PREPARE A COMPREHENSIVE	6	evaluations;
7	LONG-TERM STATE CHENICAL DEPENDENCY PLAN TO BE UPDATED EACH	7	(d) distribute
8	BIENNIUM; REQUIRING COUNTIES TO PREPARE A COMPREHENSIVE	8	for approved treatm
9	LONG-TERM CHEMICAL DEPENDENCY PLAN EVERY 4 YEARS AND PROVIDE	9	provisions of 53-24-2
10	ANNUAL UPDATES; AND GIVING RULENAKING AUTHORITY TO THE	10	(e) plan in cor
11	DEPARTMENT TO SET SUBMISSION DATES FOR COUNTY PLANS AND	11	provide for train
12	UPDATES; AMENDING SECTIONS 53-24-204 AND 53-24-211, MCA.M	12	services to alcoholic
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24	53-24-208;	24	for alcoholics and in
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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;
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18	funds by discouraging duplication of services, encouraging
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HB 312

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REFERENCE BILL

#B312

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#### HB 0312/02

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2	INTRODUCED BY HART, MILLER, NETCALF	2	dependency_plan_exery_4_years_and_update_this_plan_each
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H9 312

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-End-