

HOUSE BILL NO. 620

Introduced: 02/03/83

Referred to Committee on Human Services: 02/03/83

Hearing: 2/16/83

Died in Committee

1 *House* BILL NO. *620*
 2 INTRODUCED BY *Steve Jean Hansen* *J. Brown*
 3 *Resm Kados* *Mark Long* *Endairy Norman*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT PERSONAL
 5 CARE SERVICES ARE MEDICAL SERVICES COVERED BY COUNTY MEDICAL
 6 ASSISTANCE AND MEDICAID; AMENDING SECTIONS 53-3-103 AND
 7 53-6-101, MCA."
 8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 10 Section 1. Section 53-3-103, MCA, is amended to read:
 11 "53-3-103. Medical aid and hospitalization for
 12 indigent. (1) Except as provided in other parts of this
 13 title, medical aid and hospitalization for county residents
 14 and nonresidents within the county unable to provide these
 15 necessities for themselves are the legal and financial
 16 responsibility of the county commissioners and are payable
 17 from the county poor fund. The county commissioners shall
 18 make provisions for competent and skilled medical or
 19 surgical services. "Medical" or "medicine" as used in this
 20 section refers to the healing art as practiced by licensed
 21 practitioners and includes personal care services as defined
 22 in 50-5-101.
 23 (2) The board, in arranging for medical care for those
 24 unable to provide it for themselves, may have the care
 25 provided by physicians appointed by the board who shall be

1 known as county physicians or deputy county physicians and
 2 may fix a rate of compensation for the furnishing of the
 3 medical attendance.
 4 (3) The department may promulgate rules to determine
 5 under what circumstances persons in the county are unable to
 6 provide medical aid and hospitalization for themselves,
 7 including the power to define the term "medically needy".
 8 However, the definition may not allow payment by a county
 9 for general assistance--medical for persons whose income
 10 exceeds 300% of the limitation for obtaining regular county
 11 general relief assistance or for persons who are eligible
 12 for medicaid in accordance with Title 53, chapter 6, part 1,
 13 or for persons who have the right or are entitled to medical
 14 aid and hospitalization from the federal government or any
 15 agency thereof.
 16 (4) In any case where the county or state pays medical
 17 expenses or hospitalization for an individual, the county or
 18 state is subrogated to the claims of the physician or
 19 hospital to the extent of payment. To the extent necessary
 20 for reimbursement of medical benefits paid to or on behalf
 21 of an individual, the county or state is subrogated to the
 22 rights of the individual to recover from a third party who
 23 may be liable to pay the medical expenses. The provisions of
 24 53-2-612 which relate to medical benefits provided under
 25 Title XIX or XX of the Social Security Act apply to medical

1 benefits provided for in this section."

2 Section 2. Section 53-6-101, MCA, is amended to read:

3 "53-6-101. Definition of medical assistance. (1) The

4 definition of medical assistance shall include:

5 (a) inpatient hospital services;

6 (b) outpatient hospital services;

7 (c) other laboratory and x-ray services;

8 (d) skilled nursing home services;

9 (e) physicians' services, whether furnished in the

10 office, the patient's home, a hospital, a skilled nursing

11 home, or elsewhere.

12 (2) It may also include, although not necessarily

13 limited to, the following:

14 (a) medical care or any other type of remedial care

15 recognized under state law, furnished by licensed

16 practitioners within the scope of their practice as defined

17 by state law;

18 (b) home health care services;

19 ~~(c) personal care services as defined in 50-5-101;~~

20 ~~(e)(d)~~ private-duty nursing services;

21 ~~(d)(e)~~ dental services;

22 ~~(e)(f)~~ physical therapy and other related services;

23 ~~(f)(g)~~ clinic services;

24 ~~(g)(h)~~ prescribed drugs, dentures, and prosthetic

25 devices;

1 ~~(h)(i)~~ eyeglasses prescribed by a physician skilled in

2 diseases of the eye or by an optometrist, whichever the

3 individual may select;

4 ~~(i)(j)~~ other diagnostic, screening, preventive,

5 rehabilitative, chiropractic, and osteopathic services;

6 ~~(j)(k)~~ any additional medical service or aid allowable

7 under or provided by the federal Social Security Act."

-End-

STATE OF MONTANA

REQUEST NO. 326-83

FISCAL NOTE

Form BD-15

In compliance with a written request received February 5, 19 83, there is hereby submitted a Fiscal Note for House Bill 620 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:

House Bill 620 would provide that personal care services are medical services covered by county medical assistance and medicaid.

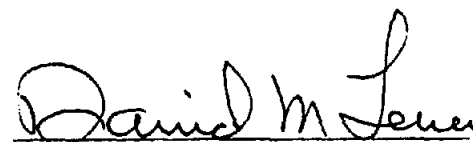
ASSUMPTIONS:

- 1) All counties will experience the same participation rate and per capita cost as the personal care program of Missoula County.
- 2) Any cost reductions from the decreased need for institutional care will be offset by increased demand for personal care.
- 3) Costs will increase 6% per year.
- 4) The matching grant-in-aid provisions in effect for FY 83 will not be extended.
- 5) Personal care services can be provided in-home.

FISCAL IMPACT:

	<u>FY 84</u>	<u>FY 85</u>	<u>BIENNIUM</u>
State General Fund	\$317,164	\$336,194	\$ 653,358
County Poor Fund	489,938	519,334	1,009,272
Total Expenditure Increase	<u>\$807,102</u>	<u>\$855,528</u>	<u>\$1,662,630</u>

FISCAL NOTE 12:K/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-9-83