

HOUSE BILL NO. 202

INTRODUCED BY WALDRON

BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS

IN THE HOUSE

January 16, 1985	Introduced and referred to Committee on Human Services and Aging.
January 17, 1985	Fiscal Note requested.
January 22, 1985	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
January 23, 1985	Fiscal Note returned.
January 25, 1985	Second reading, do pass. Considered correctly engrossed.
January 26, 1985	Third reading, passed. Transmitted to Senate.

IN THE SENATE

January 28, 1985	Introduced and referred to Committee on Public Health, Welfare and Safety.
March 7, 1985	Committee recommend bill be concurred in. Report adopted.
March 9, 1985	Second reading, concurred in.
March 12, 1985	Third reading, concurred in. Ayes, 49; Noes, 1. Returned to House.

IN THE HOUSE

March 13, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

HOUSE BILL NO. 202

INTRODUCED BY W. Nelson

BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE METHOD OF FUNDING COMMUNITY MENTAL HEALTH SERVICES; ELIMINATING THE AUTHORITY TO TRANSFER FUNDS FROM THE MONTANA STATE HOSPITAL TO COMMUNITY MENTAL HEALTH SERVICES AND FOR REVERSION OF SUCH FUNDS; AMENDING SECTION 53-21-203, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 53-21-203, MCA, is amended to read:

"53-21-203. Departmental contracts with mental health corporations. (1) The department may enter into contracts with regional mental health corporations for the purposes of the prevention, diagnosis, and treatment of mental illness. Under rules adopted by the department, mental health corporations may be provided for directly by state agencies or indirectly through contract or cooperative arrangements with other agencies of government, regional or local, private or public agencies, private professional persons, or hospitals.

(2) State funds specifically appropriated for regional mental health service contracts shall not exceed 50% of the

budget approved by the department. Furthermore, the department may establish a system whereby funds appropriated to the Montana state hospital for patient care may be transferred to the community mental health services used to implement this part. If the patient load at the Montana state hospital is reduced and these patients become patients of a community mental health service, a portion of the funds appropriated for the Montana state hospital may be used to supplement the regional budget. However, if those patients are returned to the Montana state hospital from the community mental health services, these funds may revert back to the Montana state hospital. The department shall establish rules to implement this provision."

NEW SECTION. Section 2. Effective date. This act is effective July 1, 1985.

-End-

STATE OF MONTANA

FISCAL NOTE

REQUEST NO. FNN 126-85Form BD-15

In compliance with a written request received January 17, 19 85, there is hereby submitted a Fiscal Note for H.B. 202 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:

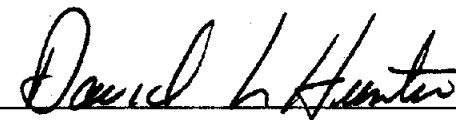
"An act revising the method of funding Community Mental Health Services; eliminating the authority to transfer funds from the Montana State Hospital to Community Mental Health Services and the reversion of such funds. Amending section 53-21-203, MCA; and providing an effective date."

ASSUMPTIONS:

The Legislature appropriates state funds specifically to purchase services from the Community Mental Health Centers. The level of funding is determined by the Appropriation's Sub-Committee through the budget process and approved by the Legislature in the General Appropriations Bill. The 50% limitation for appropriated state funds for the Community Mental Health Centers is not clearly defined and has been a source of confusion as to intent. As an example, are medicaid payments and alcohol fund payments made to the Centers included in the limit? Removing this limit and allowing the Legislature to set the funding in the Appropriation's Bill would eliminate this confusion.

FISCAL IMPACT:

Passage of HB 202 would have no fiscal impact on the Departments of Institutions, Health and Environmental Sciences, and Social and Rehabilitation Services.



BUDGET DIRECTOR
Office of Budget and Program Planning

Date: JAN 23, 1985

APPROVED BY COMM. ON HUMAN SERVICES AND AGING

1 HOUSE BILL NO. 202
2 INTRODUCED BY W. Wilson
3 BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE METHOD OF
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7 AUTHORITY TO TRANSFER FUNDS FROM THE MONTANA STATE HOSPITAL
8 TO COMMUNITY MENTAL HEALTH SERVICES AND FOR REVERSION OF
9 SUCH FUNDS; AMENDING SECTION 53-21-203, MCA; AND PROVIDING
10 AN EFFECTIVE DATE."

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

12 Section 1. Section 53-21-203, MCA, is amended to read:

13 "53-21-203. Departmental contracts with mental health
14 corporations. (1) The department may enter into contracts
15 with regional mental health corporations for the purposes of
16 the prevention, diagnosis, and treatment of mental illness.
17 Under rules adopted by the department, mental health
18 corporations may be provided for directly by state agencies
19 or indirectly through contract or cooperative arrangements
20 with other agencies of government, regional or local,
21 private or public agencies, private professional persons, or
22 hospitals.

23 (2) State funds specifically appropriated for regional
24 mental health service contracts shall not exceed 50% of the
25

1 budget approved by the department. Furthermore, the
2 department may establish a system whereby funds appropriated
3 to the Montana state hospital for patient care may be
4 transferred to the community mental health services used to
5 implement this part, if the patient load at the Montana
6 state hospital is reduced and these patients become patients
7 of a community mental health service, a portion of the funds
8 appropriated for the Montana state hospital may be used to
9 supplement the regional budget. However, if those patients
10 are returned to the Montana state hospital from the
11 community mental health services, these funds may revert
12 back to the Montana state hospital. The department shall
13 establish rules to implement this provision."

14 NEW SECTION. Section 2. Effective date. This act is
15 effective July 1, 1985.

-End-



SECOND READING
HB 202

1 HOUSE BILL NO. 202
 2 INTRODUCED BY Walton
 3 BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS
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 16 with regional mental health corporations for the purposes of
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 18 Under rules adopted by the department, mental health
 19 corporations may be provided for directly by state agencies
 20 or indirectly through contract or cooperative arrangements
 21 with other agencies of government, regional or local,
 22 private or public agencies, private professional persons, or
 23 hospitals.

24 ~~{2}--State-funds-specifically-appropriated-for-regional~~
 25 ~~mental-health-service-contracts-shall-not-exceed-50%--of--the~~

1 budget---approved---by---the--department.---Furthermore,---the
 2 department-may-establish-a-system-whereby-funds-appropriated
 3 to-the-Montana--state--hospital--for--patient--care--may--be
 4 transferred--to-the-community-mental-health-services-used-to
 5 implement-this-part--if-the--patient--load--at--the--Montana
 6 state-hospital-is-reduced-and-these-patients-become-patients
 7 of-a-community-mental-health-service,a-portion-of-the-funds
 8 appropriated--for--the-Montana-state-hospital-may-be-used-to
 9 supplement-the-regional-budget.---However,if--those--patients
 10 are---returned--to--the--Montana--state--hospital--from--the
 11 community-mental-health-services,--these--funds--may--revert
 12 back--to--the--Montana--state-hospital.---The-department-shall
 13 establish-rules-to-implement-this-provision."

14 NEW SECTION. Section 2. Effective date. This act is
 15 effective July 1, 1985.

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THIRD READING
 HB 202

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