

HOUSE BILL NO. 33

INTRODUCED BY HAND, SPAETH, PECK, O'HARA, KEATING,
JENKINS, BOYLAN, STORY, CONNELLY,
CHRISTIAENS, NEUMAN, HOLLIDAY

BY REQUEST OF THE DEPARTMENT OF SOCIAL
AND REHABILITATION SERVICES

IN THE HOUSE

June 19, 1986	Introduced and referred to Committee on Human Services and Aging.
June 25, 1986	On motion, taken from Committee on Human Services and Aging and referred to Committee on Appropriations. Committee recommend bill do pass. Report adopted.
June 26, 1986	Bill printed and placed on members' desks. Second reading, do pass as amended. Third reading, passed. Transmitted to Senate.

IN THE SENATE

June 26, 1986	Introduced and referred to Committee on Public Health, Welfare, and Safety.
June 27, 1986	Committee recommend bill be concurring in. Report adopted. Second reading, concurring in. Third reading, concurring in. Ayes, 37; Noes, 13. Returned to House.

IN THE HOUSE

June 28, 1986

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

1 *House* BILL NO. *33*
2 INTRODUCED BY *Hand Sperry Rock O'Hara*
3 *By* BY REQUEST OF THE DEPARTMENT OF SOCIAL *Christiane Neuman*
4 *Story Connelly* AND REHABILITATION SERVICES *Shirley*
5

6 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATING
7 TO PUBLIC ASSISTANCE; LIMITING THE DURATION OF ASSISTANCE
8 PROVIDED TO ABLE-BODIED PERSONS; LIMITING THE AMOUNT OF
9 MONTHLY GENERAL ASSISTANCE; REVISING INCOME ELIGIBILITY
10 STANDARDS FOR GENERAL RELIEF MEDICAL ASSISTANCE; AMENDING
11 SECTIONS 53-3-108, 53-3-109, 53-3-205, 53-3-206, AND
12 53-3-209, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
13

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

15 Section 1. Section 53-3-108, MCA, is amended to read:

16 "53-3-108. Purpose. (1) The legislature, in order to
17 implement the provisions of Article XII, section 3, of the
18 Montana constitution, finds that certain persons are in need
19 of assistance because of misfortune and must be provided
20 with certain assistance through programs for general relief.
21 These programs are to be efficiently administered by local
22 county welfare boards or, whenever responsibility for local
23 welfare programs has been assumed by the state of Montana,
24 by the department of social and rehabilitation services.
25 General relief, along with other assistance programs, is

1 made available to provide basic necessities that provide
2 minimum subsistence compatible with decency and health and
3 to provide financial assistance for medical services
4 necessary for serious medical conditions. General relief
5 medical assistance is not intended to provide catastrophic
6 medical insurance to nonindigent persons.

7 (2) The legislature finds that assistance under the
8 general relief program should not be available to those
9 persons who have either adequate income or resources of
10 their own or who are able-bodied. When benefits and services
11 are available through other federal or state assistance
12 programs, general relief should not be provided in
13 duplication of such other assistance.

14 (3) The legislature, in recognition of the need to
15 expand the employment opportunities available to able-bodied
16 persons who do not have dependent minor children, will
17 provide 2 months of general relief so that such able-bodied
18 persons may be eligible for the job readiness training
19 authorized in 53-3-304(3).

20 (3)(4) The legislature further finds that the purposes
21 of the general relief program must be implemented only to
22 the extent necessary and allowable by the mandates of
23 Article VIII, sections 12 and 14, of the Montana
24 constitution, regarding financial accountability and
25 expenditure by appropriation."

1 Section 2. Section 53-3-109, MCA, is amended to read:
 2 "53-3-109. Definitions. For the purposes of this
 3 chapter, the following definitions apply:

4 (1) "Able-bodied" means the condition of a person who
 5 is not infirm.

6 (2) "Basic necessities" means food, shelter,
 7 utilities, and personal needs.

8 (3) "Department" means the department of social and
 9 rehabilitation services provided for in Title 2, chapter 15,
 10 part 22.

11 (4) "General relief" means, in accordance with this
 12 chapter, a program of public assistance for basic
 13 necessities and medical needs to those persons determined to
 14 be eligible for that assistance.

15 (5) "Household" means all persons who by choice,
 16 necessity, or legal relationship are mutually dependent upon
 17 each other for basic necessities and who reside in the same
 18 residence.

19 (6) "Income" means the value of all property of any
 20 nature, earned, unearned, or in-kind, including benefits
 21 reasonably certain to be received by or available to a
 22 household during the month of the receipt of the income.

23 (7) "Indigent" or "misfortunate" means a person who is
 24 lacking the means, financial or otherwise, by which to
 25 prevent destitution for himself and others dependent upon

1 him for basic necessities and who is otherwise eligible for
 2 assistance under this chapter. Except as provided otherwise
 3 in 53-3-205 and 53-3-209, the terms do not include
 4 able-bodied persons ~~under-the-age-of--50~~ unless they have
 5 dependent minor children living in the household.

6 (8) "Infirm" means the condition of a person who is
 7 diagnosed by a licensed medical practitioner and confirmed
 8 by an expert medical review to have a physical or mental
 9 handicap that significantly impairs the person's ability to
 10 be employed.

11 (9) "Lump-sum income" means a nonrecurring source of
 12 income received in a single payment by a household during
 13 any eligibility period, including but not limited to
 14 proceeds from a lawsuit, insurance settlement, inheritance,
 15 lump-sum retirement, veterans' or unemployment benefits;
 16 benefits received under the federal Social Security Act;
 17 prizes; and tax refunds.

18 (10) "Resource" means all real and personal property
 19 retained after the calendar month of its receipt and which
 20 the household or a member of the household has a legal right
 21 to sell or liquidate.

22 (11) "Secure facility" means any facility in which a
 23 person may be lawfully held against his will by federal,
 24 state, or local authorities.

25 (12) "Serious medical condition" means a physical

condition that causes a serious health risk to a person and for which treatment is medically necessary, including pregnancy. Diagnosis and determination of necessary treatment must be made by a licensed medical practitioner, and the department may confirm it through an expert medical review. Necessary treatment includes prenatal care and such other elective treatments as determined by department rule to be medically necessary."

Section 3. Section 53-3-205, MCA, is amended to read:

"53-3-205. Eligibility for general relief. (1) A person or persons constituting a household may receive general relief assistance for basic necessities if the household is determined to be eligible under the provisions of this section and is in need of such assistance as a result of their infirmity, misfortune, or indigency.

(2) A household is eligible for general relief if the household income does not exceed that set forth in the following table:

Number of Persons in Household	Monthly Income Standard	
	Fiscal-1986	Fiscal-1987
1	\$212	\$219
2	284 <u>282</u>	296
3	358 <u>354</u>	372
4	432 <u>426</u>	449

1	5	506 <u>501</u>	526
2	6	588 <u>570</u>	603
3	7	653 <u>642</u>	679
4	8	727 <u>713</u>	756
5	9	800 <u>785</u>	832
6	10 or more	874 <u>857</u>	909
7	(3) Able-bodied persons under--the--age--of-35-years		
8	without dependent minor children living in the household are		
9	not eligible for nonmedical general relief assistance,		
10	except as provided in 53-3-209.		
11	(4) (a) When the household's income exceeds the		
12	monthly income standard for a household of that size because		
13	of receipt of lump-sum income, the household will be		
14	ineligible for general relief for the full number of months,		
15	beginning with the month of receipt, derived by dividing the		
16	total of the lump-sum income and other income by the monthly		
17	income standard for a household of that size. Any income		
18	remaining from this calculation will be considered as income		
19	in the first month following the period of ineligibility.		
20	(b) The period of ineligibility may be recalculated if		
21	the household size changes or if a portion of the lump sum		
22	was used to pay medical bills for a serious medical		
23	condition.		
24	(c) Ineligibility due to the receipt of a lump sum		
25	does not preclude eligibility for general relief medical		

1 assistance.

2 (5) All applicants for and recipients of general
3 relief assistance who reside in the same residence are
4 considered as one household.

5 (6) Prospective income that is reasonably certain to
6 be received by the household during an eligibility period
7 must be considered when determining eligibility.

8 (7) The following resources of a household must be
9 excluded from consideration of resources for eligibility
10 purposes:

11 (a) the domicile of the household, including necessary
12 appurtenant land not exceeding 10 acres;

13 (b) a motor vehicle that has no more than \$1,500 in
14 equity value;

15 (c) personal items, clothing, household furniture,
16 appliances, and other essential household items, the total
17 equity value of which does not exceed resource eligibility
18 limits established by rule; and

19 (d) tools of a trade that are essential to the current
20 or future employment of a household member.

21 (8) A person who is committed or sentenced by legal
22 process to a state institution or a secure facility or who
23 is incarcerated in a secure facility pending resolution of
24 legal process is not eligible for general relief.

25 (9) A person who resides for a period of 1 day or more

1 in any state or federally operated institution or residence
2 is not eligible for general relief for the period of that
3 residency.

4 (10) For the purposes of an eligibility determination,
5 an applicant for or recipient of general relief may be
6 requested to produce all financial and other information
7 concerning the household.

8 (11) Whenever practical, an eligibility determination
9 must be made within 30 days of the date of application and
10 the applicant must be notified in writing of the eligibility
11 determination and the reasons for the determination.

12 (12) An alien determined to be illegally within the
13 United States is not eligible for general relief."

14 Section 4. Section 53-3-206, MCA, is amended to read:

15 "53-3-206. Eligibility for general relief medical
16 assistance. (1) In order to be considered for eligibility
17 for general relief medical assistance, a person must be
18 found to have a serious medical condition.

19 (2) Eligibility for general relief medical assistance
20 must be determined as provided in this section and 53-3-205.
21 A person with a serious medical condition must apply for
22 general relief medical assistance prior to the provision of
23 medical services or within 90 days of the date the medical
24 service is first provided. Eligibility is determined as of
25 the date medical service is first provided.

1 (3) All persons who reside in the same residence and
2 are legally related to or responsible for each other are
3 considered to be one household for purposes of determining
4 general relief medical assistance.

5 (4) All individual or household resources must be used
6 to offset medical obligations except those excluded in
7 53-3-205(7).

8 (5) To determine eligibility for county general relief
9 medical assistance, a county welfare board may promulgate
10 rules to establish the circumstances under which persons are
11 unable to pay for their medical aid and hospitalization.
12 However, no household with an income exceeding 300% of the
13 amount set forth in 53-3-205(2) is eligible for such medical
14 assistance.

15 (6) In a county with state-assumed welfare services:

16 (a) covered medical services must be provided at no
17 cost to the person residing in a household if the average
18 household monthly income that is reasonably certain to be
19 received in a 12-month period beginning with the month the
20 medical service was provided does not exceed the amount in
21 53-3-205(2);

22 (b) a person is not eligible for medical services if
23 the household in which he resides has an average monthly
24 income reasonably certain to be received in a 12-month
25 period beginning with the month the medical service was

1 provided in excess of that set forth in the following table:

Family Size	Monthly	
	Income Level	
1	\$--314	\$ 336
2	375	383
3	400	404
4	425	426
5	501	
6	564	570
7	624	642
8	685	713
9	744	785
10	804	857
11	864	929
12	923	1,001
13	983	1,073
14	1,042	1,145
15	1,102	1,217
16 or more	1,162	1,289

16 (c) if the average household monthly income reasonably
17 certain to be received in a 12-month period beginning with
18 the month the medical service was provided is between the
19 amount in 53-3-205(2) and the monthly income level set forth
20 in subsection (b), a household must first incur covered
21 medical costs equal to the difference between its average

1 monthly income and the monthly income level in subsection
2 (b) before medical service assistance is provided."

3 Section 5. Section 53-3-209, MCA, is amended to read:
4 "53-3-209. Period of eligibility. (1) The period of
5 eligibility for receipt of general relief for basic
6 necessities is 1 month, except as provided in subsections
7 (2) and (3). A person may seek to establish eligibility for
8 the succeeding month prior to the end of the current month
9 of eligibility.

10 (2) Able-bodied persons ~~age--35--through--49~~ without
11 dependent minor children living in the household are
12 eligible for no more than 3 2 months of nonmedical general
13 relief assistance within any 12-month period, except that
14 assistance received prior to ~~July-17-1985~~ November 1, 1986,
15 shall not be counted. ~~For-these-persons-who-continuously~~
16 ~~meet-eligibility-criteria, the-period-of-eligibility--will~~
17 ~~begin-60-days-after-the-date-of-application.~~

18 (3) Eligibility for general relief medical assistance
19 terminates when the serious medical condition of the person
20 has been treated.

21 (4) The period of eligibility for any type of general
22 assistance terminates at any time the county welfare board
23 or the department determines that the household:

24 (a) no longer meets the applicable eligibility
25 requirements; or

1 (b) received general relief by means of fraud or
2 mistake."

3 NEW SECTION. Section 6. Extension of authority. Any
4 existing authority of the department of social and
5 rehabilitation services to make rules on the subject of the
6 provisions of this act is extended to the provisions of this
7 act.

8 NEW SECTION. Section 7. Severability. If a part of
9 this act is invalid, all valid parts that are severable from
10 the invalid part remain in effect. If a part of this act is
11 invalid in one or more of its applications, the part remains
12 in effect in all valid applications that are severable from
13 the invalid applications.

14 NEW SECTION. Section 8. Effective date. This act is
15 effective on passage and approval.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB033, as introduced.

Description of Proposed Legislation:

HB33 would limit the duration of assistance provided to able-bodied persons, limit the amount of monthly general assistance, and revise income eligibility standards for general relief medical assistance.

Assumptions:

1. The current law would result in an average monthly caseload of 2270 and an average monthly payment of \$217.71.
2. The proposal would result in an average monthly caseload of 1814 and an average monthly payment of \$209.22.

Fiscal Impact:

Based on the above assumptions, HB33 would reduce general fund expenditures for FY87 as follows:

Limit on amount of monthly assistance	\$ 231,268
Limit on duration of assistance	<u>1,144,851</u>
Total General Fund Expenditure Reduction	<u>\$1,376,119</u>

David L. Hunter
BUDGET DIRECTOR

6/20/86
DATE

Office of Budget and Program Planning

Bill Lund
PRIMARY SPONSOR

June 20-86
DATE

Fiscal Note for HB33, as introduced.

RE-REFERRED AND
APPROVED BY COMMITTEE
ON APPROPRIATIONS

1 *House* BILL NO. *33*
2 INTRODUCED BY *Hand* *Spach* *Rock* *O'Hara*
3 *By* BY REQUEST OF THE DEPARTMENT OF SOCIAL *Security*
4 *Services* AND REHABILITATION SERVICES *Thurman*
5 *Story Connolly*
6 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATING
7 TO PUBLIC ASSISTANCE; LIMITING THE DURATION OF ASSISTANCE
8 PROVIDED TO ABLE-BODIED PERSONS; LIMITING THE AMOUNT OF
9 MONTHLY GENERAL ASSISTANCE; REVISING INCOME ELIGIBILITY
10 STANDARDS FOR GENERAL RELIEF MEDICAL ASSISTANCE; AMENDING
11 SECTIONS 53-3-108, 53-3-109, 53-3-205, 53-3-206, AND
12 53-3-209, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
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17 implement the provisions of Article XII, section 3, of the
18 Montana constitution, finds that certain persons are in need
19 of assistance because of misfortune and must be provided
20 with certain assistance through programs for general relief.
21 These programs are to be efficiently administered by local
22 county welfare boards or, whenever responsibility for local
23 welfare programs has been assumed by the state of Montana,
24 by the department of social and rehabilitation services.
25 General relief, along with other assistance programs, is

1 made available to provide basic necessities that provide
2 minimum subsistence compatible with decency and health and
3 to provide financial assistance for medical services
4 necessary for serious medical conditions. General relief
5 medical assistance is not intended to provide catastrophic
6 medical insurance to nonindigent persons.

7 (2) The legislature finds that assistance under the
8 general relief program should not be available to those
9 persons who have either adequate income or resources of
10 their own or who are able-bodied. When benefits and services
11 are available through other federal or state assistance
12 programs, general relief should not be provided in
13 duplication of such other assistance.

14 (3) The legislature, in recognition of the need to
15 expand the employment opportunities available to able-bodied
16 persons who do not have dependent minor children, will
17 provide 2 months of general relief so that such able-bodied
18 persons may be eligible for the job readiness training
19 authorized in 53-3-304(3).

20 (4) The legislature further finds that the purposes
21 of the general relief program must be implemented only to
22 the extent necessary and allowable by the mandates of
23 Article VIII, sections 12 and 14, of the Montana
24 constitution, regarding financial accountability and
25 expenditure by appropriation."

1 Section 2. Section 53-3-109, MCA, is amended to read:

2 "53-3-109. Definitions. For the purposes of this
3 chapter, the following definitions apply:

4 (1) "Able-bodied" means the condition of a person who
5 is not infirm.

6 (2) "Basic necessities" means food, shelter,
7 utilities, and personal needs.

8 (3) "Department" means the department of social and
9 rehabilitation services provided for in Title 2, chapter 15,
10 part 22.

11 (4) "General relief" means, in accordance with this
12 chapter, a program of public assistance for basic
13 necessities and medical needs to those persons determined to
14 be eligible for that assistance.

15 (5) "Household" means all persons who by choice,
16 necessity, or legal relationship are mutually dependent upon
17 each other for basic necessities and who reside in the same
18 residence.

19 (6) "Income" means the value of all property of any
20 nature, earned, unearned, or in-kind, including benefits
21 reasonably certain to be received by or available to a
22 household during the month of the receipt of the income.

23 (7) "Indigent" or "misfortunate" means a person who is
24 lacking the means, financial or otherwise, by which to
25 prevent destitution for himself and others dependent upon

1 him for basic necessities and who is otherwise eligible for
2 assistance under this chapter. Except as provided otherwise
3 in 53-3-205 and 53-3-209, the terms do not include
4 able-bodied persons ~~under-the-age-of--50~~ unless they have
5 dependent minor children living in the household.

6 (8) "Infirm" means the condition of a person who is
7 diagnosed by a licensed medical practitioner and confirmed
8 by an expert medical review to have a physical or mental
9 handicap that significantly impairs the person's ability to
10 be employed.

11 (9) "Lump-sum income" means a nonrecurring source of
12 income received in a single payment by a household during
13 any eligibility period, including but not limited to
14 proceeds from a lawsuit, insurance settlement, inheritance,
15 lump-sum retirement, veterans' or unemployment benefits;
16 benefits received under the federal Social Security Act;
17 prizes; and tax refunds.

18 (10) "Resource" means all real and personal property
19 retained after the calendar month of its receipt and which
20 the household or a member of the household has a legal right
21 to sell or liquidate.

22 (11) "Secure facility" means any facility in which a
23 person may be lawfully held against his will by federal,
24 state, or local authorities.

25 (12) "Serious medical condition" means a physical

1 condition that causes a serious health risk to a person and
 2 for which treatment is medically necessary, including
 3 pregnancy. Diagnosis and determination of necessary
 4 treatment must be made by a licensed medical practitioner,
 5 and the department may confirm it through an expert medical
 6 review. Necessary treatment includes prenatal care and such
 7 other elective treatments as determined by department rule
 8 to be medically necessary."

9 Section 3. Section 53-3-205, MCA, is amended to read:

10 "53-3-205. Eligibility for general relief. (1) A
 11 person or persons constituting a household may receive
 12 general relief assistance for basic necessities if the
 13 household is determined to be eligible under the provisions
 14 of this section and is in need of such assistance as a
 15 result of their infirmity, misfortune, or indigency.

16 (2) A household is eligible for general relief if the
 17 household income does not exceed that set forth in the
 18 following table:

19 Number of Persons 20 in Household	Monthly Income Standard	
	Fiscal-1986	Fiscal-1987
21 1	\$212	\$219
22 2	284 282	296
23 3	358 354	372
24 4	432 426	449

1 5	506 501	526
2 6	500 570	603
3 7	653 642	679
4 8	727 713	756
5 9	800 785	832
6 10 or more	874 857	909

7 (3) Able-bodied persons ~~under--the--age--of--35--years~~
 8 without dependent minor children living in the household are
 9 not eligible for nonmedical general relief assistance,
 10 except as provided in 53-3-209.

11 (4) (a) When the household's income exceeds the
 12 monthly income standard for a household of that size because
 13 of receipt of lump-sum income, the household will be
 14 ineligible for general relief for the full number of months,
 15 beginning with the month of receipt, derived by dividing the
 16 total of the lump-sum income and other income by the monthly
 17 income standard for a household of that size. Any income
 18 remaining from this calculation will be considered as income
 19 in the first month following the period of ineligibility.

20 (b) The period of ineligibility may be recalculated if
 21 the household size changes or if a portion of the lump sum
 22 was used to pay medical bills for a serious medical
 23 condition.

24 (c) Ineligibility due to the receipt of a lump sum
 25 does not preclude eligibility for general relief medical

1 assistance.

2 (5) All applicants for and recipients of general
3 relief assistance who reside in the same residence are
4 considered as one household.

5 (6) Prospective income that is reasonably certain to
6 be received by the household during an eligibility period
7 must be considered when determining eligibility.

8 (7) The following resources of a household must be
9 excluded from consideration of resources for eligibility
10 purposes:

11 (a) the domicile of the household, including necessary
12 appurtenant land not exceeding 10 acres;

13 (b) a motor vehicle that has no more than \$1,500 in
14 equity value;

15 (c) personal items, clothing, household furniture,
16 appliances, and other essential household items, the total
17 equity value of which does not exceed resource eligibility
18 limits established by rule; and

19 (d) tools of a trade that are essential to the current
20 or future employment of a household member.

21 (8) A person who is committed or sentenced by legal
22 process to a state institution or a secure facility or who
23 is incarcerated in a secure facility pending resolution of
24 legal process is not eligible for general relief.

25 (9) A person who resides for a period of 1 day or more

1 in any state or federally operated institution or residence
2 is not eligible for general relief for the period of that
3 residency.

4 (10) For the purposes of an eligibility determination,
5 an applicant for or recipient of general relief may be
6 requested to produce all financial and other information
7 concerning the household.

8 (11) Whenever practical, an eligibility determination
9 must be made within 30 days of the date of application and
10 the applicant must be notified in writing of the eligibility
11 determination and the reasons for the determination.

12 (12) An alien determined to be illegally within the
13 United States is not eligible for general relief."

14 Section 4. Section 53-3-206, MCA, is amended to read:

15 "53-3-206. Eligibility for general relief medical
16 assistance. (1) In order to be considered for eligibility
17 for general relief medical assistance, a person must be
18 found to have a serious medical condition.

19 (2) Eligibility for general relief medical assistance
20 must be determined as provided in this section and 53-3-205.
21 A person with a serious medical condition must apply for
22 general relief medical assistance prior to the provision of
23 medical services or within 90 days of the date the medical
24 service is first provided. Eligibility is determined as of
25 the date medical service is first provided.

1 (3) All persons who reside in the same residence and
2 are legally related to or responsible for each other are
3 considered to be one household for purposes of determining
4 general relief medical assistance.

5 (4) All individual or household resources must be used
6 to offset medical obligations except those excluded in
7 53-3-205(7).

8 (5) To determine eligibility for county general relief
9 medical assistance, a county welfare board may promulgate
10 rules to establish the circumstances under which persons are
11 unable to pay for their medical aid and hospitalization.
12 However, no household with an income exceeding 300% of the
13 amount set forth in 53-3-205(2) is eligible for such medical
14 assistance.

15 (6) In a county with state-assumed welfare services:

16 (a) covered medical services must be provided at no
17 cost to the person residing in a household if the average
18 household monthly income that is reasonably certain to be
19 received in a 12-month period beginning with the month the
20 medical service was provided does not exceed the amount in
21 53-3-205(2);

22 (b) a person is not eligible for medical services if
23 the household in which he resides has an average monthly
24 income reasonably certain to be received in a 12-month
25 period beginning with the month the medical service was

1 provided in excess of that set forth in the following table:

2	Family Size	Monthly Income Level
3		
4	1	\$--314 \$ <u>336</u>
5	2	375 <u>383</u>
6	3	400 <u>404</u>
7	4	425 <u>426</u>
8	5	501
9	6	564 <u>570</u>
10	7	624 <u>642</u>
11	8	685 <u>713</u>
12	9	744 <u>785</u>
13	10	804 <u>857</u>
14	11	864 <u>929</u>
15	12	923 <u>1,001</u>
16	13	983 <u>1,073</u>
17	14	1,042 <u>1,145</u>
18	15	1,102 <u>1,217</u>
19	16 or more	1,162 <u>1,289</u>

20 (c) if the average household monthly income reasonably
21 certain to be received in a 12-month period beginning with
22 the month the medical service was provided is between the
23 amount in 53-3-205(2) and the monthly income level set forth
24 in subsection (b), a household must first incur covered
25 medical costs equal to the difference between its average

1 monthly income and the monthly income level in subsection
2 (b) before medical ~~service~~ assistance is provided."

3 Section 5. Section 53-3-209, MCA, is amended to read:
4 "53-3-209. Period of eligibility. (1) The period of
5 eligibility for receipt of general relief for basic
6 necessities is 1 month, except as provided in subsections
7 (2) and (3). A person may seek to establish eligibility for
8 the succeeding month prior to the end of the current month
9 of eligibility.

10 (2) Able-bodied persons ~~age--35--through--49~~ without
11 dependent minor children living in the household are
12 eligible for no more than ~~3~~ 2 months of nonmedical general
13 relief assistance within any 12-month period, except that
14 assistance received prior to ~~July 1, 1985~~ November 1, 1986,
15 shall not be counted. ~~For these persons who continuously~~
16 ~~meet eligibility criteria, the period of eligibility will~~
17 ~~begin 60 days after the date of application.~~

18 (3) Eligibility for general relief medical assistance
19 terminates when the serious medical condition of the person
20 has been treated.

21 (4) The period of eligibility for any type of general
22 assistance terminates at any time the county welfare board
23 or the department determines that the household:

24 (a) no longer meets the applicable eligibility
25 requirements; or

1 (b) received general relief by means of fraud or
2 mistake."

3 NEW SECTION. Section 6. Extension of authority. Any
4 existing authority of the department of social and
5 rehabilitation services to make rules on the subject of the
6 provisions of this act is extended to the provisions of this
7 act.

8 NEW SECTION. Section 7. Severability. If a part of
9 this act is invalid, all valid parts that are severable from
10 the invalid part remain in effect. If a part of this act is
11 invalid in one or more of its applications, the part remains
12 in effect in all valid applications that are severable from
13 the invalid applications.

14 NEW SECTION. Section 8. Effective date. This act is
15 effective on passage and approval.

-End-

HOUSE BILL NO. 33

INTRODUCED BY HAND, SPAETH, PECK, O'HARA, KEATING,

JENKINS, BOYLAN, STORY, CONNELLY,

CHRISTIAENS, NEUMAN, HOLLIDAY

BY REQUEST OF THE DEPARTMENT OF SOCIAL

AND REHABILITATION SERVICES

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATING
TO PUBLIC ASSISTANCE; LIMITING THE DURATION OF ASSISTANCE
PROVIDED TO ABLE-BODIED PERSONS; LIMITING THE AMOUNT OF
MONTHLY GENERAL ASSISTANCE; REVISING INCOME ELIGIBILITY
STANDARDS FOR GENERAL RELIEF MEDICAL ASSISTANCE; AMENDING
SECTIONS 53-3-108, 53-3-109, 53-3-205, 53-3-206, AND
53-3-209, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 53-3-108, MCA, is amended to read:

"53-3-108. Purpose. (1) The legislature, in order to
implement the provisions of Article XII, section 3, of the
Montana constitution, finds that certain persons are in need
of assistance because of misfortune and must be provided
with certain assistance through programs for general relief.
These programs are to be efficiently administered by local
county welfare boards or, whenever responsibility for local
welfare programs has been assumed by the state of Montana,

by the department of social and rehabilitation services.
General relief, along with other assistance programs, is
made available to provide basic necessities that provide
minimum subsistence compatible with decency and health and
to provide financial assistance for medical services
necessary for serious medical conditions. General relief
medical assistance is not intended to provide catastrophic
medical insurance to nonindigent persons.

(2) The legislature finds that assistance under the
general relief program should not be available to those
persons who have either adequate income or resources of
their own or who are able-bodied. When benefits and services
are available through other federal or state assistance
programs, general relief should not be provided in
duplication of such other assistance.

(3) The legislature, in recognition of the need to
expand the employment opportunities available to able-bodied
persons who do not have dependent minor children, will
provide 2 months of general relief so that such able-bodied
persons may be eligible for the job readiness training
authorized in 53-3-304(3).

(3)(4) The legislature further finds that the purposes
of the general relief program must be implemented only to
the extent necessary and allowable by the mandates of
Article VIII, sections 12 and 14, of the Montana

THIRD READING

1 constitution, regarding financial accountability and
2 expenditure by appropriation."

3 Section 2. Section 53-3-109, MCA, is amended to read:

4 "53-3-109. Definitions. For the purposes of this
5 chapter, the following definitions apply:

6 (1) "Able-bodied" means the condition of a person who
7 is not infirm.

8 (2) "Basic necessities" means food, shelter,
9 utilities, and personal needs.

10 (3) "Department" means the department of social and
11 rehabilitation services provided for in Title 2, chapter 15,
12 part 22.

13 (4) "General relief" means, in accordance with this
14 chapter, a program of public assistance for basic
15 necessities and medical needs to those persons determined to
16 be eligible for that assistance.

17 (5) "Household" means all persons who by choice,
18 necessity, or legal relationship are mutually dependent upon
19 each other for basic necessities and who reside in the same
20 residence.

21 (6) "Income" means the value of all property of any
22 nature, earned, unearned, or in-kind, including benefits
23 reasonably certain to be received by or available to a
24 household during the month of the receipt of the income.

25 (7) "Indigent" or "misfortunate" means a person who is

1 lacking the means, financial or otherwise, by which to
2 prevent destitution for himself and others dependent upon
3 him for basic necessities and who is otherwise eligible for
4 assistance under this chapter. Except as provided otherwise
5 in 53-3-205 and 53-3-209, the terms do not include
6 able-bodied persons ~~under-the-age-of--50~~ unless they have
7 dependent minor children living in the household.

8 (8) "Infirm" means the condition of a person who is
9 diagnosed by a licensed medical practitioner and confirmed
10 by an expert medical review to have a physical or mental
11 handicap that significantly impairs the person's ability to
12 be employed.

13 (9) "Lump-sum income" means a nonrecurring source of
14 income received in a single payment by a household during
15 any eligibility period, including but not limited to
16 proceeds from a lawsuit, insurance settlement, inheritance,
17 lump-sum retirement, veterans' or unemployment benefits;
18 benefits received under the federal Social Security Act;
19 prizes; and tax refunds.

20 (10) "Resource" means all real and personal property
21 retained after the calendar month of its receipt and which
22 the household or a member of the household has a legal right
23 to sell or liquidate.

24 (11) "Secure facility" means any facility in which a
25 person may be lawfully held against his will by federal,

state, or local authorities.

(12) "Serious medical condition" means a physical condition that causes a serious health risk to a person and for which treatment is medically necessary, including pregnancy. Diagnosis and determination of necessary treatment must be made by a licensed medical practitioner, and the department may confirm it through an expert medical review. Necessary treatment includes prenatal care and such other elective treatments as determined by department rule to be medically necessary."

Section 3. Section 53-3-205, MCA, is amended to read:

"53-3-205. Eligibility for general relief. (1) A person or persons constituting a household may receive general relief assistance for basic necessities if the household is determined to be eligible under the provisions of this section and is in need of such assistance as a result of their infirmity, misfortune, or indigency.

(2) A household is eligible for general relief if the household income does not exceed that set forth in the following table:

Number of Persons in Household	Monthly Income Standard	
	Fiscal-1986	Fiscal-1987
1	\$212	\$219
2	284 <u>282</u>	296

3	358 <u>354</u>	372
4	432 <u>426</u>	449
5	506 <u>501</u>	526
6	580 <u>570</u>	603
7	653 <u>642</u>	679
8	727 <u>713</u>	756
9	800 <u>785</u>	832
10 or more	874 <u>857</u>	909

(3) Able-bodied persons ~~under the age of 35 years~~ without dependent minor children living in the household are not eligible for nonmedical general relief assistance, except as provided in 53-3-209.

(4) (a) When the household's income exceeds the monthly income standard for a household of that size because of receipt of lump-sum income, the household will be ineligible for general relief for the full number of months, beginning with the month of receipt, derived by dividing the total of the lump-sum income and other income by the monthly income standard for a household of that size. Any income remaining from this calculation will be considered as income in the first month following the period of ineligibility.

(b) The period of ineligibility may be recalculated if the household size changes or if a portion of the lump sum was used to pay medical bills for a serious medical condition.

1 (c) Ineligibility due to the receipt of a lump sum
2 does not preclude eligibility for general relief medical
3 assistance.

4 (5) All applicants for and recipients of general
5 relief assistance who reside in the same residence are
6 considered as one household.

7 (6) Prospective income that is reasonably certain to
8 be received by the household during an eligibility period
9 must be considered when determining eligibility.

10 (7) The following resources of a household must be
11 excluded from consideration of resources for eligibility
12 purposes:

13 (a) the domicile of the household, including necessary
14 appurtenant land not exceeding 10 acres;

15 (b) a motor vehicle that has no more than \$1,500 in
16 equity value;

17 (c) personal items, clothing, household furniture,
18 appliances, and other essential household items, the total
19 equity value of which does not exceed resource eligibility
20 limits established by rule; and

21 (d) tools of a trade that are essential to the current
22 or future employment of a household member.

23 (8) A person who is committed or sentenced by legal
24 process to a state institution or a secure facility or who
25 is incarcerated in a secure facility pending resolution of

1 legal process is not eligible for general relief.

2 (9) A person who resides for a period of 1 day or more
3 in any state or federally operated institution or residence
4 is not eligible for general relief for the period of that
5 residency.

6 (10) For the purposes of an eligibility determination,
7 an applicant for or recipient of general relief may be
8 requested to produce all financial and other information
9 concerning the household.

10 (11) Whenever practical, an eligibility determination
11 must be made within 30 days of the date of application and
12 the applicant must be notified in writing of the eligibility
13 determination and the reasons for the determination.

14 (12) An alien determined to be illegally within the
15 United States is not eligible for general relief."

16 Section 4. Section 53-3-206, MCA, is amended to read:

17 "53-3-206. Eligibility for general relief medical
18 assistance. (1) In order to be considered for eligibility
19 for general relief medical assistance, a person must be
20 found to have a serious medical condition.

21 (2) Eligibility for general relief medical assistance
22 must be determined as provided in this section and 53-3-205.
23 A person with a serious medical condition must apply for
24 general relief medical assistance prior to the provision of
25 medical services or within 90 days of the date the medical

1 service is first provided. Eligibility is determined as of
2 the date medical service is first provided.

3 (3) All persons who reside in the same residence and
4 are legally related to or responsible for each other are
5 considered to be one household for purposes of determining
6 general relief medical assistance.

7 (4) All individual or household resources must be used
8 to offset medical obligations except those excluded in
9 53-3-205(7).

10 (5) To determine eligibility for county general relief
11 medical assistance, a county welfare board may promulgate
12 rules to establish the circumstances under which persons are
13 unable to pay for their medical aid and hospitalization.
14 However, no household with an income exceeding 300% of the
15 amount set forth in 53-3-205(2) is eligible for such medical
16 assistance.

17 (6) In a county with state-assumed welfare services:

18 (a) covered medical services must be provided at no
19 cost to the person residing in a household if the average
20 household monthly income that is reasonably certain to be
21 received in a 12-month period beginning with the month the
22 medical service was provided does not exceed the amount in
23 53-3-205(2);

24 (b) a person is not eligible for medical services if
25 the household in which he resides has an average monthly

1 income reasonably certain to be received in a 12-month
2 period beginning with the month the medical service was
3 provided in excess of that set forth in the following table:

Family Size	Monthly Income Level	
1	\$--314	<u>\$--336 \$287</u>
2	375	<u>383 433</u>
3	400	<u>404 526</u>
4	425	<u>426 618</u>
5	501	<u>714</u>
6	564	<u>570 804</u>
7	624	<u>642 896</u>
8	685	<u>713 988</u>
9	744	<u>785 1,081</u>
10	804	<u>857 1,173</u>
11	864	<u>929 1,194</u>
12	923	<u>1,001 1,215</u>
13	983	<u>1,073 1,236</u>
14	1,042	<u>1,145 1,256</u>
15	1,102	<u>1,217 1,277</u>
16 or more	1,162	<u>1,289 1,298</u>

22 (c) if the average household monthly income reasonably
23 certain to be received in a 12-month period beginning with
24 the month the medical service was provided is between the
25 amount in 53-3-205(2) and the monthly income level set forth

1 in subsection (b), a household must first incur covered
 2 medical costs equal to the difference between its average
 3 monthly income and the monthly income level STANDARD in
 4 ~~subsection-(b)~~ 53-3-205(2) before medical ~~service~~ assistance
 5 is provided."

6 Section 5. Section 53-3-209, MCA, is amended to read:

7 "53-3-209. Period of eligibility. (1) The period of
 8 eligibility for receipt of general relief for basic
 9 necessities is 1 month, except as provided in subsections
 10 (2) and (3). A person may seek to establish eligibility for
 11 the succeeding month prior to the end of the current month
 12 of eligibility.

13 (2) Able-bodied persons ~~age--35--through--49~~ without
 14 dependent minor children living in the household are
 15 eligible for no more than ~~3~~ 2 months of nonmedical general
 16 relief assistance within any 12-month period, except that
 17 assistance received prior to ~~July-17-1985~~ November 1, 1986,
 18 shall not be counted. ~~For-these-persons-who-continuously~~
 19 ~~meet-eligibility-criteria, the-period--of--eligibility--will~~
 20 ~~begin-60-days-after-the-date-of-application.~~

21 (3) Eligibility for general relief medical assistance
 22 terminates when the serious medical condition of the person
 23 has been treated.

24 (4) The period of eligibility for any type of general
 25 assistance terminates at any time the county welfare board

1 or the department determines that the household:

2 (a) no longer meets the applicable eligibility
 3 requirements; or

4 (b) received general relief by means of fraud or
 5 mistake."

6 NEW SECTION. Section 6. Extension of authority. Any
 7 existing authority of the department of social and
 8 rehabilitation services to make rules on the subject of the
 9 provisions of this act is extended to the provisions of this
 10 act.

11 NEW SECTION. Section 7. Severability. If a part of
 12 this act is invalid, all valid parts that are severable from
 13 the invalid part remain in effect. If a part of this act is
 14 invalid in one or more of its applications, the part remains
 15 in effect in all valid applications that are severable from
 16 the invalid applications.

17 NEW SECTION. Section 8. Effective date. This act is
 18 effective on passage and approval.

-End-

HOUSE BILL NO. 33

INTRODUCED BY HAND, SPAETH, PECK, O'HARA, KEATING,
JENKINS, BOYLAN, STORY, CONNELLY,
CHRISTIAENS, NEUMAN, HOLLIDAY
BY REQUEST OF THE DEPARTMENT OF SOCIAL
AND REHABILITATION SERVICES

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATING
TO PUBLIC ASSISTANCE; LIMITING THE DURATION OF ASSISTANCE
PROVIDED TO ABLE-BODIED PERSONS; LIMITING THE AMOUNT OF
MONTHLY GENERAL ASSISTANCE; REVISING INCOME ELIGIBILITY
STANDARDS FOR GENERAL RELIEF MEDICAL ASSISTANCE; AMENDING
SECTIONS 53-3-108, 53-3-109, 53-3-205, 53-3-206, AND
53-3-209, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 53-3-108, MCA, is amended to read:

"53-3-108. Purpose. (1) The legislature, in order to
implement the provisions of Article XII, section 3, of the
Montana constitution, finds that certain persons are in need
of assistance because of misfortune and must be provided
with certain assistance through programs for general relief.
These programs are to be efficiently administered by local
county welfare boards or, whenever responsibility for local
welfare programs has been assumed by the state of Montana,

by the department of social and rehabilitation services.
General relief, along with other assistance programs, is
made available to provide basic necessities that provide
minimum subsistence compatible with decency and health and
to provide financial assistance for medical services
necessary for serious medical conditions. General relief
medical assistance is not intended to provide catastrophic
medical insurance to nonindigent persons.

(2) The legislature finds that assistance under the
general relief program should not be available to those
persons who have either adequate income or resources of
their own or who are able-bodied. When benefits and services
are available through other federal or state assistance
programs, general relief should not be provided in
duplication of such other assistance.

(3) The legislature, in recognition of the need to
expand the employment opportunities available to able-bodied
persons who do not have dependent minor children, will
provide 2 months of general relief so that such able-bodied
persons may be eligible for the job readiness training
authorized in 53-3-304(3).

~~(3)~~(4) The legislature further finds that the purposes
of the general relief program must be implemented only to
the extent necessary and allowable by the mandates of
Article VIII, sections 12 and 14, of the Montana

REFERENCE BILL
HB 33

1 constitution, regarding financial accountability and
2 expenditure by appropriation."

3 Section 2. Section 53-3-109, MCA, is amended to read:

4 "53-3-109. Definitions. For the purposes of this
5 chapter, the following definitions apply:

6 (1) "Able-bodied" means the condition of a person who
7 is not infirm.

8 (2) "Basic necessities" means food, shelter,
9 utilities, and personal needs.

10 (3) "Department" means the department of social and
11 rehabilitation services provided for in Title 2, chapter 15,
12 part 22.

13 (4) "General relief" means, in accordance with this
14 chapter, a program of public assistance for basic
15 necessities and medical needs to those persons determined to
16 be eligible for that assistance.

17 (5) "Household" means all persons who by choice,
18 necessity, or legal relationship are mutually dependent upon
19 each other for basic necessities and who reside in the same
20 residence.

21 (6) "Income" means the value of all property of any
22 nature, earned, unearned, or in-kind, including benefits
23 reasonably certain to be received by or available to a
24 household during the month of the receipt of the income.

25 (7) "Indigent" or "misfortunate" means a person who is

1 lacking the means, financial or otherwise, by which to
2 prevent destitution for himself and others dependent upon
3 him for basic necessities and who is otherwise eligible for
4 assistance under this chapter. Except as provided otherwise
5 in 53-3-205 and 53-3-209, the terms do not include
6 able-bodied persons ~~under-the-age-of--50~~ unless they have
7 dependent minor children living in the household.

8 (8) "Infirm" means the condition of a person who is
9 diagnosed by a licensed medical practitioner and confirmed
10 by an expert medical review to have a physical or mental
11 handicap that significantly impairs the person's ability to
12 be employed.

13 (9) "Lump-sum income" means a nonrecurring source of
14 income received in a single payment by a household during
15 any eligibility period, including but not limited to
16 proceeds from a lawsuit, insurance settlement, inheritance,
17 lump-sum retirement, veterans' or unemployment benefits;
18 benefits received under the federal Social Security Act;
19 prizes; and tax refunds.

20 (10) "Resource" means all real and personal property
21 retained after the calendar month of its receipt and which
22 the household or a member of the household has a legal right
23 to sell or liquidate.

24 (11) "Secure facility" means any facility in which a
25 person may be lawfully held against his will by federal,

1 state, or local authorities.

2 (12) "Serious medical condition" means a physical
3 condition that causes a serious health risk to a person and
4 for which treatment is medically necessary, including
5 pregnancy. Diagnosis and determination of necessary
6 treatment must be made by a licensed medical practitioner,
7 and the department may confirm it through an expert medical
8 review. Necessary treatment includes prenatal care and such
9 other elective treatments as determined by department rule
10 to be medically necessary."

11 Section 3. Section 53-3-205, MCA, is amended to read:

12 "53-3-205. Eligibility for general relief. (1) A
13 person or persons constituting a household may receive
14 general relief assistance for basic necessities if the
15 household is determined to be eligible under the provisions
16 of this section and is in need of such assistance as a
17 result of their infirmity, misfortune, or indigency.

18 (2) A household is eligible for general relief if the
19 household income does not exceed that set forth in the
20 following table:

21 Number of Persons 22 in Household	Monthly Income Standard	
	Fiscal-1986	Fiscal-1987
23 1	\$212	\$219
24 2	284 282	296

1 3	358 354	372
2 4	432 426	449
3 5	506 501	526
4 6	580 570	603
5 7	653 642	679
6 8	727 713	756
7 9	800 785	832
8 10 or more	874 857	909

9 (3) Able-bodied persons under---the---age---of-35-years
10 without dependent minor children living in the household are
11 not eligible for nonmedical general relief assistance,
12 except as provided in 53-3-209.

13 (4) (a) When the household's income exceeds the
14 monthly income standard for a household of that size because
15 of receipt of lump-sum income, the household will be
16 ineligible for general relief for the full number of months,
17 beginning with the month of receipt, derived by dividing the
18 total of the lump-sum income and other income by the monthly
19 income standard for a household of that size. Any income
20 remaining from this calculation will be considered as income
21 in the first month following the period of ineligibility.

22 (b) The period of ineligibility may be recalculated if
23 the household size changes or if a portion of the lump sum
24 was used to pay medical bills for a serious medical
25 condition.

1 (c) Ineligibility due to the receipt of a lump sum
2 does not preclude eligibility for general relief medical
3 assistance.

4 (5) All applicants for and recipients of general
5 relief assistance who reside in the same residence are
6 considered as one household.

7 (6) Prospective income that is reasonably certain to
8 be received by the household during an eligibility period
9 must be considered when determining eligibility.

10 (7) The following resources of a household must be
11 excluded from consideration of resources for eligibility
12 purposes:

13 (a) the domicile of the household, including necessary
14 appurtenant land not exceeding 10 acres;

15 (b) a motor vehicle that has no more than \$1,500 in
16 equity value;

17 (c) personal items, clothing, household furniture,
18 appliances, and other essential household items, the total
19 equity value of which does not exceed resource eligibility
20 limits established by rule; and

21 (d) tools of a trade that are essential to the current
22 or future employment of a household member.

23 (8) A person who is committed or sentenced by legal
24 process to a state institution or a secure facility or who
25 is incarcerated in a secure facility pending resolution of

1 legal process is not eligible for general relief.

2 (9) A person who resides for a period of 1 day or more
3 in any state or federally operated institution or residence
4 is not eligible for general relief for the period of that
5 residency.

6 (10) For the purposes of an eligibility determination,
7 an applicant for or recipient of general relief may be
8 requested to produce all financial and other information
9 concerning the household.

10 (11) Whenever practical, an eligibility determination
11 must be made within 30 days of the date of application and
12 the applicant must be notified in writing of the eligibility
13 determination and the reasons for the determination.

14 (12) An alien determined to be illegally within the
15 United States is not eligible for general relief."

16 Section 4. Section 53-3-206, MCA, is amended to read:

17 "53-3-206. Eligibility for general relief medical
18 assistance. (1) In order to be considered for eligibility
19 for general relief medical assistance, a person must be
20 found to have a serious medical condition.

21 (2) Eligibility for general relief medical assistance
22 must be determined as provided in this section and 53-3-205.
23 A person with a serious medical condition must apply for
24 general relief medical assistance prior to the provision of
25 medical services or within 90 days of the date the medical

service is first provided. Eligibility is determined as of the date medical service is first provided.

(3) All persons who reside in the same residence and are legally related to or responsible for each other are considered to be one household for purposes of determining general relief medical assistance.

(4) All individual or household resources must be used to offset medical obligations except those excluded in 53-3-205(7).

(5) To determine eligibility for county general relief medical assistance, a county welfare board may promulgate rules to establish the circumstances under which persons are unable to pay for their medical aid and hospitalization. However, no household with an income exceeding 300% of the amount set forth in 53-3-205(2) is eligible for such medical assistance.

(6) In a county with state-assumed welfare services:

(a) covered medical services must be provided at no cost to the person residing in a household if the average household monthly income that is reasonably certain to be received in a 12-month period beginning with the month the medical service was provided does not exceed the amount in 53-3-205(2);

(b) a person is not eligible for medical services if the household in which he resides has an average monthly

income reasonably certain to be received in a 12-month period beginning with the month the medical service was provided in excess of that set forth in the following table:

Monthly	
Family Size	Income Level
1	\$--314 \$--336 <u>\$287</u>
2	375 383 <u>433</u>
3	488 484 <u>526</u>
4	425 426 <u>618</u>
5	581 714
6	564 578 <u>804</u>
7	624 642 <u>896</u>
8	685 713 <u>988</u>
9	744 785 <u>1,081</u>
10	804 857 <u>1,173</u>
11	864 929 <u>1,194</u>
12	923 1,001 <u>1,215</u>
13	983 1,073 <u>1,236</u>
14	1,042 1,145 <u>1,256</u>
15	1,102 1,217 <u>1,277</u>
16 or more	1,162 1,289 <u>1,298</u>

(c) if the average household monthly income reasonably certain to be received in a 12-month period beginning with the month the medical service was provided is between the amount in 53-3-205(2) and the monthly income level set forth

in subsection (b), a household must first incur covered medical costs equal to the difference between its average monthly income and the monthly income level STANDARD in ~~subsection-(b)~~ 53-3-205(2) before medical service assistance is provided."

Section 5. Section 53-3-209, MCA, is amended to read:

"53-3-209. Period of eligibility. (1) The period of eligibility for receipt of general relief for basic necessities is 1 month, except as provided in subsections (2) and (3). A person may seek to establish eligibility for the succeeding month prior to the end of the current month of eligibility.

(2) Able-bodied persons ~~age--35--through--49~~ without dependent minor children living in the household are eligible for no more than 3 2 months of nonmedical general relief assistance within any 12-month period, except that assistance received prior to ~~July-17-1985~~ November 1, 1986, shall not be counted. ~~For-these-persons-who-continuously meet-eligibility-criteria,-the-period-of-eligibility--will begin-60-days-after-the-date-of-application-~~

(3) Eligibility for general relief medical assistance terminates when the serious medical condition of the person has been treated.

(4) The period of eligibility for any type of general assistance terminates at any time the county welfare board

or the department determines that the household:

(a) no longer meets the applicable eligibility requirements; or

(b) received general relief by means of fraud or mistake."

NEW SECTION. Section 6. Extension of authority. Any existing authority of the department of social and rehabilitation services to make rules on the subject of the provisions of this act is extended to the provisions of this act.

NEW SECTION. Section 7. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

NEW SECTION. Section 8. Effective date. This act is effective on passage and approval.

-End-