

HOUSE BILL NO. 113
INTRODUCED BY REHBERG
BY REQUEST OF THE DEPARTMENT OF FAMILY SERVICES

IN THE HOUSE

JANUARY 11, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON HUMAN SERVICES & AGING.
	FIRST READING.
JANUARY 17, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 18, 1989	PRINTING REPORT.
JANUARY 19, 1989	SECOND READING, DO PASS AS AMENDED.
JANUARY 20, 1989	ENGROSSING REPORT.
JANUARY 21, 1989	THIRD READING, PASSED. AYES, 93; NOES, 0.
	TRANSMITTED TO SENATE.

IN THE SENATE

JANUARY 23, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
	FIRST READING.
MARCH 17, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 18, 1989	SECOND READING, CONCURRED IN.
MARCH 21, 1989	THIRD READING, CONCURRED IN. AYES, 49; NOES, 0.
	RETURNED TO HOUSE.

IN THE HOUSE

MARCH 22, 1989	RECEIVED FROM SENATE.
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SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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2 INTRODUCED BY Rehberg
3 BY REQUEST OF THE DEPARTMENT OF FAMILY SERVICES
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE
6 PLACEMENT OPTIONS AVAILABLE TO A YOUTH PLACEMENT COMMITTEE;
7 AMENDING SECTIONS 41-5-526 AND 41-5-527, MCA; AND PROVIDING
8 AN IMMEDIATE EFFECTIVE DATE."
9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11 **Section 1.** Section 41-5-526, MCA, is amended to read:
12 "41-5-526. Duties of the youth placement committee. A
13 youth placement committee shall:
14 (1) review all information relevant to the placement
15 of a youth referred or committed to the department;
16 (2) consider available resources appropriate to meet
17 the needs of the youth;
18 (3) consider the treatment recommendations of any
19 professional person who has evaluated the youth;
20 (4) recommend in writing to the department an
21 appropriate placement for the youth ~~in-a-licensed-facility~~,
22 considering the age and treatment needs of the youth and the
23 relative costs of care in the facilities considered
24 appropriate for placement;
25 (5) review temporary and emergency placements as

1 required under 41-5-528; and
2 (6) conduct placement reviews as requested by the
3 department."

4 **Section 2.** Section 41-5-527, MCA, is amended to read:
5 "41-5-527. Youth placement committee to submit
6 recommendation to department -- acceptance or rejection of
7 recommendation by department. (1) When a youth has been
8 referred or committed to the department for placement, the
9 department shall notify the appropriate youth placement
10 committee. The committee shall submit in writing to the
11 department its recommendation for placement of the youth.
12 The committee shall send a copy of the recommendation to the
13 appropriate youth court judge.

14 (2) If the department accepts the committee's
15 recommendation, the youth must be placed according to the
16 recommendation.

17 (3) If the department rejects the committee's
18 recommendation, it shall promptly notify the committee in
19 writing of the reasons for rejecting the recommendation. The
20 department shall send a copy of the notice to the
21 appropriate youth court judge.

22 (4) After receiving a notice under subsection (3), the
23 committee shall submit in writing to the department a
24 recommendation for an alternative placement of the youth.

25 (5) If the department accepts the committee's

1 recommendation for alternative placement, the youth must be
2 placed according to the recommendation.

3 (6) If the department rejects the committee's
4 recommendation for alternative placement, the department
5 shall promptly notify the committee in writing of the
6 reasons for rejecting the recommendation and shall determine
7 an appropriate placement for the youth. the The youth must
8 be placed ~~in--an-appropriate-facility~~ as determined by the
9 department."

10 **Section 3. Extension of authority.** Any existing
11 authority to make rules on the subject of the provisions of
12 [this act] is extended to the provisions of [this act].

13 **Section 4. Effective date.** [This act] is effective on
14 passage and approval.

-End-

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HUMAN SERVICES AND AGING

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18 (3) consider the treatment recommendations of any
19 professional person who has evaluated the youth;

20 (4) recommend in writing to the department an
21 appropriate placement for the youth in a licensed facility,
22 considering the age and treatment needs of the youth and the
23 relative costs of care in the facilities considered
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21 appropriate placement for the youth ~~in a licensed facility,~~
22 considering the age and treatment needs of the youth and the
23 relative costs of care in the facilities considered
24 appropriate for placement. A COMMITTEE SHALL CONSIDER
25 PLACEMENT IN A LICENSED FACILITY, AT MOUNTAIN VIEW SCHOOL,

1 AT PINE HILLS SCHOOL, OR WITH A PARENT, OTHER FAMILY MEMBER,
2 OR GUARDIAN;

3 (5) review temporary and emergency placements as
4 required under 41-5-528; and5 (6) conduct placement reviews as requested by the
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13 NEW SECTION. Section 3. Extension of authority. Any
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