

SENATE BILL NO. 40

INTRODUCED BY KEATING
BY REQUEST OF THE COMMITTEE
ON THE MONTANA STATE HOSPITAL

IN THE SENATE

DECEMBER 22, 1992	INTRODUCED AND REFERRED TO COMMITTEE ON FINANCE & CLAIMS.
JANUARY 4, 1993	FIRST READING.
FEBRUARY 18, 1993	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 19, 1993	PRINTING REPORT.
	SECOND READING, DO PASS.
FEBRUARY 20, 1993	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 26; NOES, 24.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 23, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON APPROPRIATIONS.
	FIRST READING.
MARCH 17, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 29, 1993	SECOND READING, CONCURRED IN.
MARCH 31, 1993	THIRD READING, CONCURRED IN. AYES, 58; NOES, 39.
APRIL 1, 1993	RETURNED TO SENATE.

IN THE SENATE

APRIL 2, 1993	RECEIVED FROM HOUSE.
	SENT TO ENROLLING.
	REPORTED CORRECTLY ENROLLED.

1 SENATE BILL NO. 40

2 INTRODUCED BY KEATING

3 BY REQUEST OF THE COMMITTEE

4 ON THE MONTANA STATE HOSPITAL

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT THE
7 MONTANA STATE HOSPITAL AT GALEN CEASE TO PROVIDE
8 INTERMEDIATE NURSING CARE; AMENDING SECTION 53-21-601, MCA;
9 AND PROVIDING AN EFFECTIVE DATE."

10
11 WHEREAS, the 52nd Legislature created an interim
12 committee to study the role of the Montana State Hospital;
13 and

14 WHEREAS, the interim study Committee on the Montana
15 State Hospital, by majority vote, has recommended that the
16 intermediate care nursing home on the Galen campus of the
17 Montana State Hospital be closed; and

18 WHEREAS, the occupancy rate at the Galen nursing home is
19 low, and the buildings and facilities that support the
20 program are aging and costly to maintain; and

21 WHEREAS, nursing home patients at Galen may be
22 effectively cared for at other state or private nursing home
23 facilities; and

24 WHEREAS, the continued operation of the Galen
25 intermediate care nursing home would be an inefficient and

1 unnecessary use of state resources.

2
3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

4 Section 1. Section 53-21-601, MCA, is amended to read:

5 "53-21-601. Location and primary function of hospital.

6 (1) The agency facility providing comprehensive health care
7 services at Galen and Warm Springs, Montana, is the Montana
8 state hospital and as its primary function provides:

9 (a) care and treatment of mentally ill persons;

10 (b) diagnosis, care, evaluation, treatment, referral,
11 and rehabilitation of persons afflicted with chemical
12 dependency;

13 (c) care and treatment of institutional residents or
14 clients of the department's community and residential
15 programs who require acute hospital care or nursing care;

16 (d) treatment of tuberculosis and silicosis (commonly
17 called miner's consumption);

18 (e) detoxification of those persons who seek relief
19 from the disabling effects of alcohol and other chemical
20 substances; and

21 (f) contingent upon space and funds, the treatment of
22 pulmonary diseases and other medical or organic disorders.

23 (2) The campus facility at Warm Springs, Montana, is
24 the component designated as the mental health facility, as
25 defined in 53-21-102, of the department of corrections and

1 human services for the care and treatment of mentally ill
2 persons.

3 (3) The designated campus facilities at Galen, Montana,
4 are the components designated as the department's
5 residential treatment facilities for those persons suffering
6 from chemical dependency.

7 (4) The campus facility at Galen, Montana, licensed to
8 provide acute hospital ~~and intermediate nursing~~ care, is the
9 facility component designated for the care and treatment of
10 the medical and organic disorders described in this
11 section."

12 **NEW SECTION. Section 2. Coordination instruction.** If
13 Bill No. _____ [LC 0448] is passed and approved and if
14 it includes a section discontinuing the Galen acute care
15 hospital, then [section 1 of this act], amending 53-21-601,
16 must read:

17 "Section 1. Section 53-21-601, MCA, is amended to read:

18 "53-21-601. Location and primary function of hospital.

19 (1) The agency facility providing ~~comprehensive~~ health care
20 services at Galen and Warm Springs, Montana, is the Montana
21 state hospital and as its primary function provides:

22 (a) care and treatment of mentally ill persons;

23 (b) diagnosis, care, evaluation, treatment, referral,
24 and rehabilitation of persons afflicted with chemical
25 dependency;

1 ~~{c}--care--and--treatment--of--institutional--residents--or~~
2 ~~clients--of--the--department's--community--and--residential~~
3 ~~programs--who--require--acute--hospital--care--or--nursing--care;~~

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15 human services for the care and treatment of mentally ill
16 persons.

17 (3) The designated campus facilities at Galen, Montana,
18 are the components designated as the department's
19 residential treatment facilities for those persons suffering
20 from chemical dependency.

21 ~~{4}--The--campus--facility--at--Galen--Montana--licensed--to~~
22 ~~provide--acute--hospital--and--intermediate--nursing--care--is--the~~
23 ~~facility--component--designated--for--the--care--and--treatment--of~~
24 ~~the--medical--and--organic--disorders--described--in--this~~
25 ~~section."~~

SB 0040/01

1 NEW SECTION. **Section 3.** **Effective date.** [This act] is
2 effective July 1, 1993.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0040, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act providing that the Montana State Hospital (MSH), at Galen cease to provide intermediate nursing care.

ASSUMPTIONS:

1. Senate Bill 39 also is enacted.
2. Current law figures are taken from the LFA current level 1995 Biennium Budget Analysis.
3. Proposed Law figures are the Executive Budget recommendation including one modification to allow added staffing in the Center for the Aged to accommodate some of the current MSH patients.
4. The LFA 1995 Biennium Budget Analysis estimates that lost Medicaid revenue to the general fund would be \$730,032 in FY94 and \$679,070 in FY95, which already is included in the Executive Budget.
5. The Executive Budget recommendation assumes enactment of SB39 and SB40 and, therefore, includes the FTE reduction and the net general fund savings of \$1,182,487 in FY94 and \$1,094,464 in FY95.
6. The average of five (5) FY93 termination payouts at MSH was \$646.00 per employee. Department of Corrections and Human Services estimates that vacancy savings from employees changing jobs or terminating early will approximately offset payouts at this average level.

FISCAL IMPACT:Expenditures:

	FY '94			FY '95		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
FTE	680.72	604.20	(76.52)	680.72	604.20	(76.52)
Personal Services	23,435,614	21,150,158	(2,285,456)	24,158,812	21,963,629	(2,195,183)
Operating Costs	<u>2,896,654</u>	<u>3,339,024</u>	<u>442,370</u>	<u>2,888,265</u>	<u>3,409,381</u>	<u>521,116</u>
Total	26,332,268	24,489,182	(1,843,086)	27,047,077	25,373,010	(1,674,067)

Funding:

General Fund	24,218,565	22,306,046	(1,912,519)	24,900,753	23,127,219	(1,773,534)
State Special	2,112,668	2,182,101	69,433	2,145,289	2,244,756	99,467
Federal Revenue	<u>1,035</u>	<u>1,035</u>	<u>0</u>	<u>1,035</u>	<u>1,035</u>	<u>0</u>
Total	26,332,268	24,489,182	(1,843,086)	27,047,077	25,373,010	(1,674,067)

Revenues:

Medicaid Reimbursements (01)	(730,032)	(679,070)
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Net Impact:

General Fund	(1,182,487)	(1,094,464)
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David Lewis 1-18-93
DAVID LEWIS, BUDGET DIRECTOR DATE

Office of Budget and Program Planning

Tom Keating
TOM KEATING, PRIMARY SPONSOR

1/20/93
DATE

Fiscal Note for SB0040, as introduced

SB 40

APPROVED BY COMM. ON
FINANCE AND CLAIMS

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INTERMEDIATE NURSING CARE; AMENDING SECTION 53-21-601, MCA;
AND PROVIDING AN EFFECTIVE DATE."

WHEREAS, the 52nd Legislature created an interim
committee to study the role of the Montana State Hospital;
and

WHEREAS, the interim study Committee on the Montana
State Hospital, by majority vote, has recommended that the
intermediate care nursing home on the Galen campus of the
Montana State Hospital be closed; and

WHEREAS, the occupancy rate at the Galen nursing home is
low, and the buildings and facilities that support the
program are aging and costly to maintain; and

WHEREAS, nursing home patients at Galen may be
effectively cared for at other state or private nursing home
facilities; and

WHEREAS, the continued operation of the Galen
intermediate care nursing home would be an inefficient and

unnecessary use of state resources.

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

Section 1. Section 53-21-601, MCA, is amended to read:

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(1) The agency facility providing comprehensive health care
services at Galen and Warm Springs, Montana, is the Montana
state hospital and as its primary function provides:

(a) care and treatment of mentally ill persons;

(b) diagnosis, care, evaluation, treatment, referral,
and rehabilitation of persons afflicted with chemical
dependency;

(c) care and treatment of institutional residents or
clients of the department's community and residential
programs who require acute hospital care or nursing care;

(d) treatment of tuberculosis and silicosis (commonly
called miner's consumption);

(e) detoxification of those persons who seek relief
from the disabling effects of alcohol and other chemical
substances; and

(f) contingent upon space and funds, the treatment of
pulmonary diseases and other medical or organic disorders.

(2) The campus facility at Warm Springs, Montana, is
the component designated as the mental health facility, as
defined in 53-21-102, of the department of corrections and

1 human services for the care and treatment of mentally ill
2 persons.

3 (3) The designated campus facilities at Galen, Montana,
4 are the components designated as the department's
5 residential treatment facilities for those persons suffering
6 from chemical dependency.

7 (4) The campus facility at Galen, Montana, licensed to
8 provide acute hospital ~~and intermediate nursing~~ care, is the
9 facility component designated for the care and treatment of
10 the medical and organic disorders described in this
11 section."

12 NEW SECTION. Section 2. Coordination instruction. If
13 Bill No. _____ [LC 0448] is passed and approved and if
14 it includes a section discontinuing the Galen acute care
15 hospital, then [section 1 of this act], amending 53-21-601,
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SB 0040/01

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2 effective July 1, 1993.

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