

MINUTES OF THE MEETING
FINANCE AND CLAIMS COMMITTEE
MONTANA STATE SENATE

January 25, 1985

The 5th meeting of the Senate Finance and Claims Committee met in room 108 of the State Capitol on the above date. Roll call was taken and Senator Regan, Chairman, called the meeting to order at 4:35 p.m.

ROLL CALL: All members present except Senator Story who was excused.

Senator Regan said the purpose of the meeting is to take executive action. There was a joint hearing with the House in the Supreme Court Chambers on Wednesday night. I will entertain a motion from the committee to take committee action on SJR 9.

CONSIDERATION OF SENATE JOINT RESOLUTION 9:

MOTION: Senator Smith: To open this up for discussion I will ask that this resolution be moved. I understand according to this list, all the Governor's requests are being discussed in the budget process. I will move we adopt SJR 9.

SUBSTITUTE MOTION: by Senator Lane to adopt the amendments to be called the Marks amendments. Attached as exhibit 1.

Senator Regan: Senator Lane, if you will discuss the amendments, sort of walk them through the bill if you will.

Senator Lane: Could Representative Marks do it?

Representative Marks: The first amendment--the title of the resolution on lines 6 and 7 after "MONTANA" you would put in the words there, and the reason is that a resolution is a statement of expression of the intent by the Legislature, not the Governor. 2. This addition to the many "whereas's" would take care of the concern about different subcommittees handling the same areas. 3. This is an insertion in lieu of, and is really the crux of the amendment and the purpose is to try to prioritize the recommendations. The priority is in the recommendations themselves. Probably the highest priority would be to serve those people first. Item 2, the cluster centers would not be provided until the first one was accomplished. 3. I am not really solid on this, and 4. Recognizing BRSII will be around awhile and putting some money into it.

Senator Bengtson: I have problems with adopting any of the amendments. I don't mind the idea of saying this expresses the views of the Legislature, but actually, if we adopt the SJR as it stands, it provides a forum for approaching all the problems facing us in the budget and then those can be considered according to the recommendations. If we go along with the red book with the Governor on it, it does not bother me if the Governor or the Legislature is used, but if we go ahead and take

the recommendations, the last 4 amendments will fall in place. As we determine the budget we will be serving the unserved. If we implement the recommendations, the unserved will be served. That is part of it. The second part of 3 that says "no large expenditures for new facilities" etc. Those unserved are being served as we provide the facilities. In # 3 that will be accomplished too, gradually. In #4 I don't think we should have any amendments on it at all. I think we should accept it as is, or scuttle it all.

Senator Gage: I think I could probably support some of the amendments, but I am not ready to accept all of them.

Senator Regan: We can discuss the amendments separately but I want to know you all understand them.

Senator Christiaens: On #4. The funds provided to renovate. With the current situation there, what would the cost be? Perhaps Carol South could address that?

Carol South, Director of Institutions Department: I believe the handout you have on 6 at the bottom of the page says just over \$5 million. (This handout given by Governors' office and is attachment # 2)

Senator Smith: There is one comment I want to make. The session has me heavily scheduled and I have not had a chance to go through it and see how far down the road we are going to commit ourselves. The one reservation I have is, are we going to bind ourselves to a building program like we did with the Vo Techs. I am worried about providing service for people in the institutions and serving them. In another committee we took the amendments one by one. A lot of study went into this.

Senator Stimatz: I am in accord with the over all principles enunciated in the blue book. If we adopt this resolution without amendments--on page 2, line 17 "Whereas, the appropriations committee of the 49th Legislature " etc. The subcommittee does not need the recommendations of anyone. It can study the budget.

Senator Regan: The House and Senate Vice Chairmen of the various subcommittees met because of concern about how we would address the 909 study. It seemed to us several subcommittees -- SRS, Institutions, and LRB each had a piece of the study. It seemed a good idea to get an agreement from the Legislature of what they wanted to do and give direction to the Legislature to serve those who are not yet served, and at the same time and concurrently with it, to continue the deinstitutionalizing of Boulder and move these people into appropriate setting in the community. That is why we are addressing it here and asking this committee to recommend to you the Senate. Otherwise they have no direction and can all go off in different directions.

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Senator Stimatz: It is scheduled among 3 different agencies. Does that commit us to buying a pig in the poke?

Senator Regan: We really should be addressing the amendments.

Senator Himsl: I have trouble understanding this too. It says we accept the Governors' plan. We get the blue book, the red book, and the summary. Do we have anybody who can tell us what the plan is?

Senator Regan: The blue book is the study and the recommendations to the Governor. The red book is the Governor's response as to how to best implement it. We are only taking the beginning steps to meet the needs of the unserved.

Senator Himsl: If this is a plan--Is this considered to be the plan?

Senator Regan: One of the aims is to integrate them under one roof. This is just simply the summary found in the beginning of the book here. It is no different than the red book except it is 1, 2, 3, 4, and 5.

Senator Stimatz: At the bottom on page 3, there is a complete copy of the list of goals.

Senator Regan: I will ask that now you confine your comments to the amendments.

Senator Smith: (Referring to exhibit 2) Are these the figures?

Senator Regan: They are the figures that are in the back of the red book.

Senator Smith: But are they in the blue book?

Senator Regan: The sheet is identical to this one. (shows page 16 of the red book)

Senator Bengtson: I really feel the committee can not vote on the amendments until they can understand the plan. I think if you take the sheet with the numbers--there are people in the room who can explain that, and what the time frame is. If there is any confusion, I think you should understand that. I would suggest your calling on Mr. Hunter to explain it.

Senator Haffey: Do you want to go through the numbers?

Senator Bengtson: Yes, the numbers, so you have an idea where it goes, etc.

Senator Haffey: Maybe first address the amendments offered. I have a question on them and a change in them. Representative Marks submitted the amendments to the committee and, as I read them for example, the one to the title is fine. Representative Marks expressed no problem with the language on page 2 line 22 that Senator Stimatz referred to and as I read them I find nothing in the whereas's that is in conflict with the red book conceptually.

Gene Huntington, Governor's office, said he would disagree with that. In regard to a permanent facility, on page 12 of the blue book it is under A, B, C. Check B. They reflect a totally different recommendation.

Senator Haffey: If we each read through A, B and C, I find my reading of the amendment doesn't conflict with the recommendations as I see it. In the interest of trying to come to a solution to it, I would have you read the recommendations B and C on page 12. If you say the "whereas" is in conflict with the language he proposes to strike and insert, then I would ask Mr. Marks in paragraph 1 of the amendment if you add the word "appropriately" after "disabled is to" and delete the word "unserved". This would then read "That the Legislature's highest priority with regard to the provision of programs for the developmentally disabled is to appropriately serve the developmentally disabled in the state." Wouldn't that serve your purpose?

Representative Marks: It would be my purpose in this that in serving the purpose of the resolution it give the Legislature some direction. It puts it in the plan.

Senator Haffey: If it says "same"? On Paragraph 2. Rather than saying "no large expenditures" if it says "expenditures for facilities made for the purpose of" etc. I think this would reflect the Legislature's highest priority if it says "that expenditures for facilities made for the purpose of providing current services to the currently served population consistent with the Legislature's highest priority". What I am getting at is all the testimony that said there is a great need with people being served, etc. and perhaps some new services be there and they could be done consistent with some of the proposals in the red book for regional centers in the book.

Representative Marks: More appropriation, rather than highest priority. To serve the majority we need direction on where and to know the expenditures that are made would be consistent.

Senator Haffey: Let me tie that in with what Senator Bengtson said. If changes like these are not made then my reading of your amendments says, if incorporated and passed, not only the subcommittees need direction, but also the legislation that is called for in the red book to complete the plan would be brought to a halt and the schedule to revert would be brought to a halt if we adopt your amendments as they are. I don't think the wisest thing to do is to bring them all to a

halt, but to find a middle ground pulled in the direction of regional centers and also pulled toward having Boulder to provide some services. The subcommittees did the most by adding things at Boulder, but would not be doing anything regionally if we adopt your amendments.

Senator Gage: I have a comment about the schedule of numbers being a part of the plan. 1. As I understand it it is a "here or". You go for the top figures if in favor of taking Boulder patients and spread through the communities or go with the bottom and leave the status quo. One or the other, but not both. 2. If part of the plan I am not sure I can support the plan because I don't think this plan should be put into force at this time. I appreciate what the woman said the other night, if nothing else, don't garbage it. They put it before you so that you can do something with it here.

Senator Bengtson: I think it is important the statement the girl made. If we can't do it all maybe these figures will not come to fruition. We might be able to make a decision if we want to move in that direction. This resolution gives us the direction to move in that direction. Maybe the first priority in our deliberations will be to serve the # 1 priority that Mr. Marks has--to serve the unserved, but we cannot reject the red book. We have to adopt something, and this resolution does it. There is enough flexibility there. The explanation of the numbers will help us find the sequences it has to have to take place.

Senator Gage: My comment--The two lines on page 3. The Governor's recommendation for DD. Are we saying the red book, including this schedule is the recommendation? If we are, that is my problem.

Senator Smith: One comment, on the amendments. 1. In regard to endorsing the figures -- they do not tell me much. If Mr. Huntington can tell me something about them it might make some difference. It would be hard to bind it.

Senator Regan: It will be modified and tailored as the Legislatures meet. We cannot bind future legislatures. The idea tonight is if we plan to make a change in policy that will reflect the recommendations made by the advisory council or not. The details and development of it will unfold in the course of the next 15 years or so.

Gene Huntington: I will try to clarify this chart. A difference --The questions brought up by the people in Boulder-- basically, what we tried to do in 909. We presented a cost comparison to an alternative to Boulder. This is our proposal and what it would cost over 20 years. The bottom set of figures represents what it will cost to keep Boulder up and keep what we are doing there.

Senator Jacobson: I guess I have changed my mind every 10 minutes in the last 3 days, and there are things in the red

book that I don't like. One is what I would consider a priority and I realize these people are considering putting in the naive ones and possibly others so it will have the public offenders. On page 9 objective 3.1.4: It says BRSH, the Department of Institutions and DSRS will complete a study investigating the feasibility of providing services for "naive offenders" at BRSH. I guess the conclusions I finally came to is these pages and ideas are so overwhelming and are reaching far into the future and we are a committee of a few. My feeling is I would like to have the resolution go up stairs and have the committee of the whole senate discuss it.

Senator Regan: Could we get back to the amendments before us?

Senator Keating: Did I hear you (Senator Haffey) say the red book does not implement anything until the next biennium?

Senator Haffey: No.

Senator Keating: The plan probably, if the Legislature accepts SJR 9 as is, then the Governor and his staff will take steps to implement directives within this biennium to form the various councils, advisors, forms, transfers, etc. It would start immediately.

Senator Haffey: Does that include the preparation and perhaps the completion of the sale of bonds in the next two years in terms of the \$9 million?

Gene Huntington: Yes. Our plan has considered selling the bonds through the bond sale.

Senator Haffey: That is the reason I am suggesting what I am doing. The sale would be conditioned on whether the amendment is adopted or adopted somewhat, and would directly affect the bonds. Regional centers timing and beds remaining at Boulder. New facilities being added, et.

Senator Keating: Will not much of this action require further legislation by the Legislature? This is a proposed picture and the list would require discussion by several committees.

Senator Regan: I am going to ask that we do address the amendments now. Do you wish to separate them?

Senator Lane: You have offered the amendments in total. If the committee is willing we could do them separately. Senator Haffey on one amendment you were trying to change something?

Senator Haffey: On page 3, lines 1 and 2. (2) you would cross out "no large", add an "s" to expenditure, cross out "new", cross out "be" and then cross out "until the unserved population is being served". You would add "be consistent with the Legislature's highest priority as set forth in (1), including "expenditures at Boulder River School and Hospital". This would

read (1) That the Legislature's highest priority with regard to the provision of programs for the developmentally disabled is to appropriately serve the developmentally disabled in the state. (2) That expenditures for facilities made for the purpose of providing different services to the currently served population be consistent with the Legislature's highest priority as set in (1), including expenditures at Boulder River School and Hospital.

Senator Haffey continued saying the amendment on page 2, after line 16 you would add another whereas that would say "Whereas, the advisory council's study concluded that programs serving developmentally disabled persons could be pursued with cost savings and greater efficiency if they were under the control of a single agency.

Senator Haffey said he felt this would take care of the "several agencies" being involved without naming any one specific agency. He said they would then strike (4), and the "single" agency would take care of (3). He said this would be consistent with some direction to the subcommittee recommendations in the plan and it still wants consistent with the testimony I heard by Representative Marks.

Senator Christiaens: This is not the intent of the language following page 2 where we are talking about BRSC as a permanent facility. Read on page 12 of the blue book, #B.

Senator Haffey: Including that part, but not limited to it. It would leave open the possibilities that more would happen there.

Senator Smith: Could I suggest resolution 1--I would move--.

DISPOSITION OF SJR 9: MOTION by Senator Haffey to divide the amendments. Motion carried.

MOTION by Senator Smith to adopt the amendment #1. (I would like to have you look at the one in the red book and the one in the blue book. There is \$71 million difference and on the bottom figure \$64 million.)

Motion was voted and passed unanimously.

MOTION by Senator Hims1 to move amendment #2 , the first "whereas". Voted and passed, unanimous.

MOTION by Senator Christiaens to adopt the second "whereas".

Senator Bengtson: The perspective of this resulation is that the resolution should be more general. I don't think it is wise to put it in concrete that it is a permanent facility.

This motion was voted on with the committee members changing votes, then wanting more discussion.

Senator Haffey: Mr. Huntington, on page 12 under recommendation # 7 is not inconsistent with the red book and the red book with the plan presented to the legislature.

Gene Huntington: It is a matter of interpretation. You are saying the blue book says (in recommendation 7 on page 12 (he read A, B and C) and that they recognize the necessity.

Senator Haffey: The second "whereas" recognizes the hospital service and the services at Boulder. It is not inconsistent with the plan of the blue book.

Gene Huntington: If it is clearly understood what it means.

Senator Gage: All we are saying is, would the advisory council recognize it?

Senator Bengtson: If you are going to be consistent then you would have to recognize community facilities community based and another for Eastmont etc. There is a lot more to the plan than just recognizing Boulder.

Senator Haffey: Maybe it might be the second "whereas" is fully taken care of in paragraph one.

Senator Bengtson: Are we supposed to get into the details of the plan. Is this the intention of the resolution?

Senator Stimatz: I differ with Senator Bengtson. How can they appropriate money without saying where?

Senator Regan: This is a general appropriation.

Senator Keating: The red book plan seems to include a lot for Boulder as well as others. Specifically, I think the 2nd whereas is superflous.

Senator Haffey: Would you withdraw your motion?

Senator Christiaens: I would withdraw my motion.

Senator Keating: I would move the second whereas be rejected.

MOTION: Keating: I would make that a motion. Motion was voted. Senators Lane, Boylan and Smith voting no, the motion passed.

MOTION: Senator Haffey: I am still concerned with the testimony I would move to amend the # 3 amendment to read "appropriately" as I outlined before. Motion was voted and passed.

Senator Bengtson: It is entirely too confusing. If you go ahead with the plan gradually the first priority is worked right into it.

Senator Aklestad: I would address this to Senator Haffey. Is your main concern that the people that are there now would stay there so that we can start serving the unserved?

Senator Haffey: There was testimony that said some of the DD there were best served at Boulder. 2. Other services that should be provided and could be best provided at Boulder and 3. DD at Boulder that can best be served elsewhere.

Senator Keating: On the objectives there in the red book, I don't see any reason for any further amendments. Just take the Governor's amendments and we are doing what we want to do.

MOTION by Senator Haffey to amend the proposed amendment 3.
(2) to read That expenditures for facilities made for the purpose of providing different services to the currently served population be consistent with the Legislatures highest priority as set forth in (1), including expenditures at Boulder River School and Hospital. Motion was voted, roll call vote, motion passed.

Senator Keating: Senator Lane offered the amendments and the motion before us was just a part of them.

Senator Regan" There is a substitute motion to divide them.

Senator Jacobson: In regard to (3) I would make a motion.

MOTION: Senator Jacobson moved that (3) be not included. If we adopt # 3 putting it in institutions I know there is a large staff of people in SRS, and Institutions would have to start renting space from SRS.

Gene Huntington: Both the Council and the Governor recommend it be put in SRS. There is a difference in how they are housed.

Senator Jacobson: DD PAC in SRS. People being shifted that have nothing to do with institutions.

Senator Smith: I have one comment. In one agency so that they could be tracked.

Senator Jacobson: Would you be agreeable to saying consolidated into one department?

Senator Jacobson's motion on (3) to be not adopted was voted and passed unanimous.

MOTION by Senator Bengtson that # 3 of the proposed amendments be not adopted. Voted and passed. Senators Boylan, Lane and Stimatz voting no. The motion carried.

Senator Keating: If you accept the amendments as they are, amendment 3 strikes 1 and 2 of the recommendations in its entirety.

Senator Haffey: That is perfectly consistent with the title and all the amendments adopted so far. I suggest that the whole essence of what we have done is here.

Senator Keating: If that is the case we totally disregard the plan set before us.

Senator Regan: If you will look at the first whereas, you will find the study is referred to and suggested they be under one roof.

Senator Keating: (read from the book but did not give page no.)

Senator Regan: I believe that page 2, line 17-22 stresses that.

Senator Jacobson: If we strike lines 1 and 2 on page 3, we had better do something about lines 24 and 25 on page 2.

Senator Haffey: I would move to strike lines 1 and 2 and then explain it. Striking lines 1 and 2 is consistent with what we have already adopted. The first is a capsule acceptance of the red book with the Legislature having a handle on it. Page 3, lines 1 and 2.

MOTION by Senator Haffey to strike lines 1 and 2 on page 3.

Senator Bengtson: What concerns me is the resolution stands complete enough. If we are really addressing it, we are wrong in striking these last 2 lines.

Senator Keating: I submit if we strike the last 2 lines this resolution will no longer apply. We have only the Legislature's highest priorities.

Senator Aklestad: I think--instead of the direction of the Governor, with Haffey's amendments and Representative Marks, you changed the title to the direction of the Legislature instead of the Governor.

Senator Haffey's motion was voted and failed. Roll call vote with 7 yes, and 8 no.

Senator Jacobson: On page 3, lines 1 and 2 if we insert ", and" and then (1) and (2).

MOTION by Senator Jacobson to move the above. Voted to accept, carried, unanimously.

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MOTION by Senator Christiaens: I would move to insert the other 2 amendments to the body of the bill as shown.

Senator Regan: That would be page 2, line 16. Motion was voted passed, Senator Keating voting no.

Senator Bengtson: I would move the amendments to the bill.

Senator Regan: We now have the motion before us to place the amendment in the total and # 2 on page 2, line 16. Voted and passed. Senator Keating voting no.

MOTION by Senator Haffey that SJR 9, as amended, do pass. Voted, Passed, Senator Keating voting no.

The meeting was adjourned at 6:02 p.m.



Senator Regan, Chairman

ROLL CALL

SENATE FINANCE AND CLAIMS

COMMITTEE

49th LEGISLATIVE SESSION - - 185

Date

1-25-85

NAME	PRESENT	ABSENT	EXCUSED
SENATOR REGAN	✓		
SENATOR HAFHEY	✓		
SENATOR JACOBSON	✓		
SENATOR AKLESTAD	✓		
SENATOR HAMMOND	✓		
SENATOR LANE	✓		
SENATOR CHRISTLAENS	✓		
SENATOR GAGE	✓		
SENATOR HIMSL	✓		
SENATOR STIMATZ	✓		
SENATOR BOYLAN	✓		
SENATOR STORY			✓
SENATOR SMITH	✓		
SENATOR MANNING (Dick)	✓		
SENATOR BENGTON	✓		
SENATOR KEATING	✓		

PROPOSED AMENDMENTS TO SJR 9

- 1-25-85
1. Title, lines 6 and 7.
Following: "MONTANA" on line 6
Strike: "ENDORISING THE RECOMMENDATIONS OF THE GOVERNOR"
Insert: "EXPRESSING THE VIEWS OF THE LEGISLATURE"

 2. Page 2, line 16.
Following: line 16
Insert: "WHEREAS, the advisory council's study concluded that programs serving developmentally disabled persons could be pursued with cost savings and greater efficiency if they were under the control of a single agency; and
WHEREAS, the advisory council recognized the necessity of Boulder River School and Hospital as a permanent facility; and"

 3. Page 3, lines 1 and 2.
Strike: lines 1 and 2 in their entirety
Insert: "(1) That the Legislature's highest priority with regard to the provision of programs for the developmentally disabled is to serve the unserved developmentally disabled in the state.
(2) That no large expenditure for new facilities be made for the purpose of providing different services to the currently served population until the unserved population is being served.
(3) That all programs for the developmentally disabled be consolidated in the department of institutions.
(4) That funds be provided to renovate the buildings and campus at Boulder River School and Hospital to permit treatment of patients in a less restrictive environment and to provide a physical plant that is more energy efficient."

A PLAN FOR SERVICES FOR CURRENT BRSH RESIDENTS
20 YEAR COST PROJECTION

	FY 86	FY 87	FY 88	FY 89	FY 90	TOTAL COST 20 YEARS
BRSH Operations ¹	10,815,483	10,195,647	8,256,953	5,624,823	3,299,750	87,688,458
BRSH Capital ²	0	468,610	468,610	468,610	468,610	8,903,590
Community Operations ³	264,566	1,570,010	3,390,105	5,367,547	6,188,268	109,604,516
Community Capital	0	223,096	529,418	864,495	1,003,929	17,679,873
EHSC Operations	0	115,063	276,151	276,151	276,151	5,085,781
EHSC Capital	0	0	23,000	0	0	<u>23,000</u>
TOTAL (FV)	11,180,049	12,572,426	12,944,237	12,601,626	11,236,708	228,985,666

PRESENT VALUE (20 YEARS)
116,858,842

MAINTAIN STATUS QUO AT BRSH

	FY 86	FY 87	FY 88	FY 89	FY 90	TOTAL COST 20 YEARS
BRSH Operations ⁵	10,815,483	10,821,573	10,821,573	10,821,573	10,821,573	216,425,370
BRSH Capital ⁶	0	514,047	514,047	514,047	514,047	9,766,893
TOTAL (FV)	10,815,483	11,335,620	11,335,620	11,335,620	11,335,620	226,192,263
PRESENT VALUE (20 YEARS)						112,790,720

1 FY 86 budget request represents executive budget. FY 87-FY90 budgets reflect reductions in operational costs resulting from deinstitutionalization and reductions in force completed in FY 1990. Estimates based on FY 85 costs and pay matrix, no inflation.

2 FY 86 preconstruction activities; FY 87-FY 89 phases 1 and 2 of remodelling, construction, and demolition of old buildings on BRSH campus resulting in consolidated 60-bed facility. The costs indicated are debt serve payments on \$4,664,520 in construction financed through LRBP @ 9% over 20 years.

3 FY 86 increase in administrative costs linked to preparation of intensive service center (ISC) development process; FY 87 - FY 90 represents estimated costs associated with phased operation of 3 ISCs. FY -87 cost is for 8 months of ISC operation.

4 Debt service for phased construction of three ISCs, totalling \$9,298,500 in Health Facilities Bonds. Annual debt service is \$334,643 per center per annum.

5 Continuation of approved BRSH budgets, assuming no change in size or mission of BRSH.

6 Renovation costs necessary to maintain BRSH at present size and function. The costs indicated are debt service payments on \$5,116,788 in construction financed through LRBP bonds @ 9% over 20 years.

The Honorable Ed Smith
Montana State Senator
District 10
Capitol Station
Helena, MT 59620

January 18, 1985

Dear Mr. Smith:

We are writing to you with regard to House Bill 909 Advisory Council Report on the future of Montana's programs for persons with developmental disabilities.

We have read both the House Bill 909 Advisory Council Report and Boulder River School and Hospital's response to the report. We agree with most aspects of the report, but think that BRSH's response should be given special weight because they know the patients and their problems intimately and we believe are qualified to make judgments on what would be best for individual cases.

We have a family member, Patricia Gale Smith (Patty), living at BRSH, who is profoundly disabled with many medical problems. For this reason, what happens at BRSH is very important to us since Patty can not speak for herself.

Our specific concerns are that possibly Patty would be moved, either to a community home or to EASTMONT. We feel that a community home would be impossible because of her condition. Patty is blind, cannot talk, needs a quite environment, special diet of puree foods, medical surveillance, behavior and blind training and expert care at all times. She enjoys going to school, riding the bus, and going to any form of entertainment that is appropriate for her condition. We believe this would be impossible to receive in a community home. We do not want her moved to EASTMONT because of the great distance to travel to visit or in case of an emergency.

The Advisory report recommends that BRSH become the home for all naive offenders. This concerns us because we wonder if it would be possible to keep them completely away from the profoundly retarded and physically handicapped who would not be able to defend themselves or tell if they were abused by the naive offender.

We realize that funds for BRSH are limited but wish that there could be merit pay for those really exceptional workers at BRSH. It makes quite a difference to the health and wellbeing of the patients and is very upsetting to them when these fine workers move on for whatever reason.

This letter does not address the problems of the less handicapped or those still on waiting lists. This is not because of lack of interest but for the lack of information. We would appreciate any additional information available as House Bill 909 Advisory Report progresses through the legislative system.

Thank you for your attention. We hope that our opinions may be of help when these important decisions are made.

*Dear Ed,
The whole family represents the feelings of all of us, but most importantly the Governor, our various district Representatives, we don't know what the course of the report will be or if its going to be taken soon. Anything you can do to help will be appreciated.
Sincerely yours,
Carol*

Sincerely yours,
*George & Fern Smith (Parents)
4740 Chandler, West View Park
Missoula, MT. 59802*

*Gay D. Dwyer (sister)
Danel & Doreen
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*Ernie & Julie Smith
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Georgia Honey (sister)*

*Robert R Smith
Carol L. Brodie (sister)
Larry T. Brodie
Robert & Barbara J. Smith
210 Burlington
Missoula, MT. 59801*

January 25, 1985

Senator Pat Regan
Chairman, Senate Finance and Claims Committee
Capital Station
Helena, MT 59620

Dear Senator Regan:

I appreciated the opportunity to testify before the Joint Committee on Resolution 9. Everyone who wished to testify was given the opportunity to do so, and your committee members were attentive and interested even though I'm sure they were very tired.

There were several issues, however, which were not clarified during testimony. First, Mr. Joe Roberts' figures on the number of admissions to Boulder River School and Hospital (BRSH) since July, 1979, were misleading. The facts regarding admissions to BRSH since that date are as follows:

New admissions, i.e., those who had never been residents of BRSH were 16; transfers from Montana State Hospital (also had never been residents of BRSH) were 5; readmissions were 22 (10 from community placements and 12 from Montana State Hospital); for a total of 43. Several of the clients counted as readmissions were clients who had been admitted to BRSH for short term evaluations or medical treatment, and their stays ranged from one day to several weeks. BRSH has experienced over the last two biennia an admission/readmission rate of 8 to 10 clients a year. The reasons for these admission/readmissions are because of inappropriate placements (those at Montana State Hospital), severe handicapping conditions for which no community services were available, and severe behavior problems community facilities either could not or would not provide.

Second, Dr. Opitz's comments that prevention is the key to lowering the numbers of developmentally disabled persons entering the system is accurate. He stated more funds earmarked for prevention and especially for genetic counseling is needed. Although one of the legislators testified that over \$400,000 has been appropriated for perinatal (prenatal, natal, and postnatal) programs, no mention was made as whether any of these funds would be earmarked for genetic counseling and genetic services. From what Dr. Opitz told the HB 909 Council, genetics services has received little funding to date.

The last issue is that of the DD services waiting list. Attached to this letter are figures given to the HB 909 Council from the Developmental Disabilities Division of SRS, the Office of Public Instruction, and the Legislative Finance Committee Report. I believe the figures speak for themselves.

Senator Pat Regan
January 25, 1985
Page Two

I support the HB 909 Council's recommendations to Governor Schwinden and much of the Governor's implementation plan. However, the DD Division led the Council to believe that the Intensive Service Centers (ISC) would provide services to clients on the community waiting lists as well as some from BRSH and Eastmont. The Governor's implementation plan allows for placements only from BRSH and Eastmont into the ISC's, with no beds for waiting list clients. I have not seen the Priorities for People budget, so do not know what types of services would be provided for the 285 people from the waiting lists. I was led to believe, however, the PFP budget does not include additional ISC's. I know for a fact there are clients in the community who need ISC placements.

I again thank you and your committee members for the interest shown at the public hearing and your continuing efforts to provide support for our DD people.

Yours truly,



Barbara A. Sutherlin
Member, House Bill 909 Council

(DD Divison's Report to the HB Council)

The tables below constitute the DDD's documentation of the waiting list for services. Additional detail, indicating demand for services by county, is available.

Waiting List (June 30, 1983)
Waiting List by Service Category

<u>Service Category</u>	<u>Adults</u>	<u>Children</u>
Vocational Programs	329	
Adult Group Homes	258	
Transitional Living	46	
Independent Living	94	
Family Training		94
Respite Care		61
Children's Group Home		36
Specialized Foster Care		14
Unduplicated Totals	<u>539</u>	<u>176</u>

Waiting List By DD Planning Region

<u>DD Planning Region</u>	<u>Adults</u>	<u>Children</u>	<u>Total</u>
Region I	203	65	268
Region II	183	32	215
Region III	140	71	211
Statewide *	13	8	21
Unduplicated Totals	<u>539</u>	<u>176</u>	<u>715</u>

*Statewide: Refers to clients who will accept services provided anywhere in the state.

Waiting List - Services Needed By DD Planning Regions

<u>Service Category</u>	<u>Region I</u>		<u>Region II</u>		<u>Region III</u>		<u>Statewide *</u>	
	<u>Adult</u>	<u>Child</u>	<u>Adult</u>	<u>Child</u>	<u>Adult</u>	<u>Child</u>	<u>Adult</u>	<u>Child</u>
Vocational Programs	120	-	83	-	117	-	9	-
Adult Group Homes	93	-	106	-	46	-	13	-
Transitional Living	26	-	10	-	8	-	2	-
Independent Living	35	-	48	-	10	-	1	-
Family Training	-	41	-	13	-	40	-	0
Respite Care	-	0	-	9	-	52	-	0
Children's Group Home	-	22	-	8	-	0	-	6
Specialized Foster Care	-	9	-	3	-	0	-	2
Unduplicated Total	203	65	183	32	140	71	13	8

*Statewide: refers to clients who will accept services provided anywhere in the state.

Statewide Unduplicated Count Of Mentally Retarded Students
By Age and Class

<u>Student Age</u>	<u>Regular Class (Less Than 15 Hrs/Wk)</u>	<u>Separate Class (More Than 15 Hrs/Wk)</u>
1	1	-
2	4	-
3	9	9
4	17	11
5	20	18
6	19	33
7	19	71
8	22	56
9	30	64
10	28	68
11	35	73
12	30	88
13	19	88
14	19	80
15	25	87
16	27	100
17	29	86
18	17	78
19	4	31
20	3	17
21	1	4
22	1	-
<u>TOTAL</u>	<u>379</u>	<u>1062</u>

Question 7. How many developmentally disabled special education students are expected to graduate from eligibility in the next 5-10 years, by year:

- Due to age
- Due to personal growth or attainment
- By county

Response. This information is not available. Several factors are responsible. Because of the permissive nature of providing services to handicapped persons over age 18, programs vary among school districts. Also, the upper limit of compulsory attendance (the later of age 16 or completion of 8th grade) influences the number of persons remaining in school programs beyond the specified periods.

Many of the community service providers maintain contact with the local school districts within their areas to ascertain the potential influx of clients.

Question 8. Are there any estimates of the number of potentially eligible developmentally disabled who remain unserved by special education?

Response. Legislative and regulatory mandates require that all handicapped persons receive a free appropriate education. This office has maintained an extensive "child find" process through school districts, special education cooperatives and the general public. At this time, we are not aware of any

Table 7
Number of Service Slots Available by End of
1983 Biennium

<u>Service</u>	<u>Service Slots Available Before Expansion</u>	<u>Expansion Slots</u>	<u>Total Service Slots Available by July 1, 1983</u>
Children's Group Home	46	4	50
Adult Group Home	391	72	463
Day Services	964	-166	1,130
Transportation	911	166	1,077
Semi-Independent Support	161	58	219
Family Training	404	15	419
Respite	<u>361</u>	<u>0</u>	<u>361</u>
Total	3,238 =====	481 ===	3,719 =====

The above table shows that 481 new service slots will be added with the expansion money. However, more service slots will be needed for the 1985 biennium. The table below looks at service slots needed in 1985.

Table 8
Service Slots Needed in 1985 Biennium

<u>Service</u>	<u>Service Slots Needed Currently</u>	<u>Special Education Graduates</u>	<u>BRS&H and Eastmont Deinstitution.</u>	<u>Total Service Slots Needed by 1985</u>
Children's Group Home	87	0	0	87
Adult Group Home	656	41	11	708
Day Services	1,252	82	11	1,345
Transportation	1,178	82	11	1,271
Semi-Independent Support	262	12	0	274
Family Training	470	0	0	470
Respite	<u>406</u>	<u>0</u>	<u>0</u>	<u>406</u>
Total	4,311 =====	217 ===	33 ==	4,561 =====

By the end of fiscal 1985, 4,561 service slots will be needed. This includes special education graduates in 1983 and 1984 and the deinstitutionalization of 11 persons from the institutions.

Table 9
Comparison of Service Slots Available
and Service Slots Needed by
1985 Biennium

<u>Service</u>	<u>Service Slots Needed</u>	<u>Service Slots Available</u>	<u>New Slots Needed</u>
Childrens Group Home	87	50	37
Adult Group Home	708	463	245
Day Services	1,345	1,130	215
Transportation	1,271	1,077	194
Semi-Indep. Support	274	219	55
Family Training	470	419	51
Respite	406	361	45
Total	4,561 =====	3,719 =====	842 ===

Table 9 shows that 3,719 slots will be available at the beginning of the 1985 biennium and 4,561 service slots will be needed.

Thus, the total number of new service slots needed during the 1985 biennium is approximately 842. Two hundred forty-five additional group home slots, 215 day-service slots and 37 children's group home slots will be needed. Factors which make these numbers approximations are the unknown variables of the amount of movement through the system and the number of special education graduates. When examining the above tables the following factors should be considered:

1. No allowance has been made for attrition or movement through the system. The current duplication on the waiting list has been considered. However, one goal of the DD system is to move people through the system.

SENATE COMMITTEE

FINANCE AND CLAIMS

VOTING RECORD

Date 1-25-85

SJR

Bill No. 9

Time 5:45+

Name	YES	NO	ABSENT	EXCUSED
Senator Haffey	✓			
Senator Jacobson	✓			
Senator Aklestad	✓			
Senator Hammond	✓			
Senator Lane	✓			
Senator Christiaens		✓		
Senator Gage	✓			
Senator Himsl		✓		
Senator Stimatz	✓			
Senator Boylan	✓			
Senator Story				
Senator Smith	✓			
Senator Manning (Dick)		✓		
Senator Bengtson		✓		
Senator Keating		✓		
Senator Regan		✓		
	9	6		

Sylvia Kinsey
Secretary

Senator Regan
Chairman

Motion: (2) Haffey - The expenditures for facilities
etc

SENATE COMMITTEE

FINANCE AND CLAIMS

VOTING RECORD

Date 1-25-85

S + R

Bill No. 9

Time 5:57

Name	YES	NO	ABSENT	EXCUSED
Senator Haffey	✓			
Senator Jacobson		✓		
Senator Aklestad	✓			
Senator Hammond	✓			
Senator Lane	✓			
Senator Christiaens		✓		
Senator Gage	✓			
Senator Himsl		✓		
Senator Stimatz	✓			
Senator Boylan	✓			
Senator Story				✓
Senator Smith		✓		
Senator Manning (Dick)		✓		
Senator Bengtson		✓		
Senator Keating		✓		
Senator Regan		✓		

7 8

Sylvia Kinsey
Secretary

Senator Regan
Chairman

Motion:

motion a la c 93
(Strike lines)
yd

STANDING COMMITTEE REPORT

January 25 19 35

MR. PRESIDENT

We, your committee on Finance and Claims

having had under consideration Senate Joint Resolution No. 9

first white
reading copy ()
color

RESOLUTION SUPPORTING ENDORSING GOVERNOR'S DD SERVICES RECOMMENDATIONS

Respectfully report as follows: That Senate Joint Resolution No. 9,
be amended as follows:

1. Title, lines 6 and 7.

Following: "MONTANA"

Strike: "ENDORSING THE RECOMMENDATIONS OF THE GOVERNOR"

Insert: "EXPRESSING THE VIEWS OF THE LEGISLATURE"

2. Page 2, line 16.

Following: line 16

Insert: "WHEREAS, the advisory council's study concluded that programs serving developmentally disabled persons could be pursued with cost savings and greater efficiency if they were under the control of a single agency; and"

3. Page 3, line 2.

Following: "accepted"

Insert: ", and (1) That the Legislature's highest priority with regard to the provision of programs for the developmentally disabled is to appropriately serve the developmentally disabled in the state.

(2) That expenditures for facilities made for the purpose of providing different services to the currently served population be consistent with the Legislature's highest priority as set in (1), including expenditures at Boulder River School and Hospital"

AND AS AMENDED

DO PASS

~~DO NOT PASS~~

SENATOR REGAN

Chairman.