



Children, Families, Health, and Human Services Interim Committee

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64th Montana Legislature

SENATE MEMBERS

MARY CAFERRO--Vice Chair
FREDERICK (ERIC) MOORE
DIANE SANDS
ROGER WEBB

HOUSE MEMBERS

RON EHLI--Chair
JESSICA KARJALA
ALBERT OLSZEWSKI
GORDON PIERSON

COMMITTEE STAFF

SUE O'CONNELL, Lead Staff
ALEXIS SANDRU, Staff Attorney
FONG HOM, Secretary

MINUTES LOG

March 10-11, 2016
Room 137, Capitol Building
Helena, Montana

MARCH 11, 2016

Please note: This document is a Minutes Log and provides a notation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video record of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <http://leg.mt.gov>. On the left-side menu of the home page, select Committees, then Interim. Once on the page for Interim Committees, scroll down to the appropriate committee. The written Minutes Log, along with the audio and video recordings, is listed by meeting date on the interim committee's web page. Each of the Exhibits is linked and can be viewed by clicking on the Exhibit of interest. All Exhibits are public information and may be printed.

Please contact the Legislative Services Division at 406-444-3064 for more information.

COMMITTEE MEMBERS PRESENT

REP. RON EHLI, Chair
SEN. MARY CAFERRO, Vice Chair

SEN. FREDERICK (ERIC) MOORE
SEN. DIANE SANDS
SEN. ROGER WEBB

REP. JESSICA KARJALA
REP. ALBERT OLSZEWSKI
REP. GORDON PIERSON

STAFF PRESENT

SUE O'CONNELL, Lead Staff
FONG HOM, Secretary

VISITORS' LIST (Attachment 1)

AGENDA (Attachment 2)

CALL TO ORDER

00:00:02 Rep. Ehli reconvened the meeting at 8:08 a.m.

SB418 STUDY: LEGISLATIVE MENTAL HEALTH INVESTMENTS

Introduction - Sue O'Connell

00:00:43 Ms. O'Connell (**Exhibit 26**)

Committee Questions

00:08:15 Rep. Ehli asked about the civil admissions to the State Hospital from eastern Montana counties and how those counties are served by crisis facilities.

DPHHS Update on Community and Facility Mental Health Services

Glenda Oldenburg, Administrator, DPHHS Addictive and Mental Disorders Division
John Glueckert, Administrator, Montana State Hospital

00:10:52 Ms. Oldenburg (**Exhibit 27**)

00:40:46 Mr. Glueckert

Committee Questions

00:49:49 Rep. Ehli asked for assurance that communications with the State Hospital and the mental health clinics and centers in the state will continue after Mr. Glueckert retires.

00:55:19 Sen. Sands asked about the number of State Hospital patients who are guilty but mentally ill who could potentially be moved out.

01:00:32 Rep. Olszewski asked about the definition of a 30-day readmission and the total number for the 90-day and the one-year readmissions.

01:02:07 Rep. Karjala asked Mr. Glueckert about the role of medication issues in readmission cases. She requested more information on what Missoula is doing regarding involuntary administration of medication.

01:09:34 Sen. Caferro asked Mr. Glueckert about the recidivism statistics and if any of those people were guilty but mentally ill.

01:09:50 Sen. Caferro asked Ms. Oldenburg about the transitional mental group homes and what is meant by "enhanced" rates.

01:11:25 Sen. Webb asked why the State Hospital is not taking emergency detention patients.

01:15:35 Rep. Ehli asked Ms. Oldenburg if the department has had any discussions with the Executive Branch about the comparison between institutional care and community-based care, and the costs involved with each.

Panel Presentation: Provider Perspective

Danielle Harden, Executive Director, Western Montana Mental Health Center
Lyle Seavy, Ph.D., Director of Psychiatric Services, Billings Clinic
Pete Snyder, Regional Director of Psychiatric Services, Providence St. Patrick Hospital, Missoula
Eric Bryson, Chief Administrative Officer, Lewis and Clark County

01:20:08 Mr. Snyder (**Exhibit 28**)
01:25:02 Mr. Seavy
01:34:15 Ms. Harden
01:43:49 Mr. Bryson (**Exhibit 29**)

Committee Questions

01:51:19 Sen. Sands asked the panelists about the workforce dilemma.
01:54:09 Rep. Karjala asked the panelists about reimbursement rates and how those are set at federal and state levels.
01:58:38 Rep. Karjala asked Mr. Bryson about the 14-day diversion process and crisis beds.
01:59:52 Rep. Olszewski asked the panelists about episodes of care.
02:02:20 Sen. Caferro asked Ms. Harden about the Crisis Intervention Teams and the partnership with law enforcement.
02:09:16 Rep. Ehli commented on the movement statewide to organize training of Crisis Intervention Teams (CIT).
02:11:03 Rep. Ehli asked Mr. Bryson about the continuum of care.

Public Comment on the SB 418 Study

02:18:51 Matt Kuntz, NAMI Montana
02:22:53 Jani McCall, Yellowstone Youth Crisis Network
02:26:57 Kathy McGowan, Community Mental Health Centers
02:36:50 Deb Matteucci, Montana Board of Crime Control
02:43:22 James Gustafson, consumer

HEALTH AND HUMAN SERVICES MONITORING

Update: Psychiatric Training Track Proposal - Dr. Eric Arzubi, Billings Clinic

02:47:42 Dr. Arzubi (**Exhibit 30**)

Committee Questions of Dr. Arzubi

03:01:51 Rep. Pierson thanked Dr. Arzubi.
03:02:14 Rep. Olszewski asked if Dr. Arzubi has been working with the WWAMI medical education program to emphasize mental health.

Pain Patients' Bill of Rights

Casey Brock, Glendive
Terri Anderson, Hamilton

03:05:57 Ms. Anderson (**Exhibit 31**)
03:15:08 Mr. Brock

Committee Questions

- 03:26:02 Rep. Olszewski asked about whether the Pain Patients' Bill of Rights should include provisions to address potential abuse of prescription drugs.
- 03:33:50 Rep. Karjala asked about doing an intake study.
- 03:35:48 Rep. Ehli asked Ms. Anderson whether the advocates are working with the Montana Medical Association or the Montana Hospital Association for a solution.

LUNCH (reconvened at 1:19 p.m.)

PUBLIC COMMENT on any non-study topic in the committee's jurisdiction

- 05:12:13 Judith Notchick, Montana Pain Lives Matter, spoke on how she became a chronic pain victim and supported the Pain Patients' Bill of Rights.
- 05:18:12 Lisa Sokoloski commented on her case that rendered her a victim of chronic pain.
- 05:20:20 Wayne Yankoff, retired therapist, commented on the Pain Patients' Bill of Rights.
- 05:24:35 Bill Gallea, Montana Medical Association, supported Dr. Arzubi's proposal and supported greater access and safe procedures for treatment of people with chronic pain.
- 05:28:48 Dr. Mark Ibsen, Montana Medical Association, commented on the drug registry in Montana.
- 05:32:59 Stan Frasier, citizen, commented on medical marijuana.
- 05:38:12 Mark Mentel, physician, Montana Medical Association, commented on the tools available for managing chronic pain and discussed his concerns with the Pain Patients' Bill of Rights.
- 05:41:10 Kate Lamport, citizen, supported the Pain Patients' Bill of Rights.
- 05:48:52 John Walton, citizen, requested that the Department of Family Services be investigated.
- 05:59:09 Marly Hanson commented on living with a person who suffers from chronic pain and requested that the committee support the Pain Patients' Bill of Rights.

COMMITTEE WORK SESSION

Calendar for Remainder of the interim

- 06:02:32 Ms. O'Connell ([Exhibit 32](#))

HB 142 Review of Statutory Advisory Councils and Reports

Motion

- 06:07:40 Sen. Sands moved for a bill draft to repeal the advisory groups numbered 14, 15, 16, 17, and 18 in Exhibit 15 from the March 10 meeting and to eliminate reports numbered 14 through 20.

Committee Discussion

- 06:09:17 Sen. Caferro discussed reasons why #17, the Medicaid Managed Care Advisory Council, should be retained.

Substitute Motion

06:11:44 Sen. Caferro made a substitute motion to repeal the advisory groups numbered 14, 15, 16, and 18, and to eliminate reports numbered 14, 15, 16, 18, 19, and 20.

Vote

06:12:28 The motion passed unanimously by voice vote.

Further direction to staff on SJR 22, HB 422, and SB 418 studies:

06:14:57 Ms. O'Connell reviewed items discussed by speakers and members of the public for the Senate Joint Resolution 22 Study.

06:15:07 Rep. Ehli reiterated that the committee has to give further instruction so that the committee can move forward with legislation.

SJR 22 Study

06:15:10 Rep. Ehli discussed Mr. Laslovich's presentation on the model law involving financial exploitation of vulnerable adults.

Motion

06:16:01 Rep. Ehli moved for staff to draft a bill based on the model legislation.

Committee Discussion

06:18:47 Rep. Olszewski said he would like to make sure that any legislation on this topic would be effective.

Vote

06:20:13 The motion passed unanimously by voice vote.

06:21:21 Sen. Caferro discussed ideas from the Alzheimer's Work Group.

Motion

06:22:56 Sen. Caferro moved that staff work with the Alzheimer's Work Group on the four policy recommendations presented to the committee: to establish a state Alzheimer's and dementia service coordinator; provide more opportunities for those who have Alzheimer's and dementia to stay in their homes and in the community; respite for caregivers; and an appropriation for the state's Area Agencies on Aging.

Committee Discussion

06:24:28 Ms. O'Connell asked whether the committee also wanted options on the potential costs of the proposals.

06:25:24 Rep. Olszewski addressed Mr. Kuntz's idea of a coordinator rather than a facilitator for Alzheimer's services.

Vote

06:28:31 The motion passed unanimously by voice vote.

Motion

06:28:45 Sen. Webb moved for staff to draft legislation to adopt the National Guardianship Association standards as presented as a starting point for Montana.

Committee Discussion

06:29:23 The committee discussed the NGA standards and whether a bill draft should include other elements.

Vote

06:35:20 The motion to draft a bill incorporating the NGA standards into Montana law passed unanimously by voice vote.

Motion

06:35:38 Sen. Webb moved that staff draft legislation to create a WINGS program.

Vote

06:38:29 The motion passed unanimously by voice vote.

Creating a statewide guardianship program

06:39:00 The committee discussed following up at future meetings on topics related to public guardianship programs and the continued work of the Alzheimer's Work Group.

HB 422 Study Discussion

06:41:19 Ms. O'Connell discussed the topics heard by the committee at its March 10 meeting.

06:42:29 Sen. Webb discussed Mr. Peake's commitment to gather the data the committee would like to have.

06:43:19 Sen. Sands discussed her concern that the Department of Public Health and Human Services will not have a system to continue gathering data over time.

06:44:14 Rep. Ehli discussed the need for more information on IT options before deciding how to proceed with the study.

SB 418 Study Discussion

06:53:10 The committee asked for information on medication problems and the role pharmacists could play.

06:58:54 Rep. Ehli asked for more information on the funding for secure beds within the crisis centers.

06:59:39 Sen. Sands asked for a panel to discuss the how the financing mechanisms and options work for crisis centers.

Other Topics

07:01:43 Sen. Webb asked whether the committee wanted to pursue the psychiatric training track proposal discussed by Dr. Arzubi.

07:02:19 Rep. Ehli asked that staff look into the status of Dr. Arzubi's proposal.

07:02:52 Rep. Karjala suggested that the committee work on topics involving the emergency removal of children in abuse and neglect cases. She said it may be best to require a court order before the removal occurs and to have law enforcement officers, rather than child protective workers, remove the children.

07:05:55 Sen. Moore said he would like more information on how other states handle the removal issue.

07:08:16 Sen. Moore discussed having staff provide the committee with a summary of the

laws in other states and to have the Protect Montana Kids Commission present their findings at a future meeting.

Meeting dates

07:10:44 The committee members had a brief discussion regarding combining the May or June meeting into a two-day meeting. It was decided to leave the schedule as is.

ADJOURNMENT

07:13:50 With no further business before the committee, Rep. Ehli adjourned the meeting at 3:21 p.m.

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