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64th Montana Legislature

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To: Committee Members

From: Julianne Burkhardt, Staff Attorney

Re: Administrative Rule Activity for the Department of Corrections and Board of Pardons and Parole

Date: February 2016

Rule Review -- Department of Corrections

MAR 2015 Issue No. 24 (December 24, 2015) At page 2211 of the 2015 MAR, DOC filed a NOTICE OF PUBLIC HEARING ON PROPOSED ADOPTION regarding the adoption of a new rule pertaining to authorization for probation and parole officers to carry firearms, firearms training requirements, and department procedures pertaining to firearms. The adoption of the rule was necessary to rectify an oversight revealed by a recent legislative audit. A hearing was held on January 8, 2016, in the auditorium of the Scott Hart Building, 301 North Roberts, Helena, MT.

MAR 2015 Issue No. 24 (December 24, 2015) At page 2215 of the 2015 MAR, DOC filed a NOTICE OF PUBLIC HEARING ON PROPOSED ADOPTION regarding the adoption of four new rules pertaining to implementing the Medicaid rate as the reimbursement rate the State of Montana will pay health care providers for services provided to individuals in the care or custody of the DOC or the Department of Public Health and Human Services. The adoption of these rules is necessary to implement 53-6-1312, MCA. The rules proposed by the DOC are identical to the rules adopted by the DPHHS implementing 53-6-1312. A hearing was held on January 14, 2016, in the auditorium of the DPHHS Building, 111 North Sanders, Helena, MT.

MAR 2016 Issue No. 4 (February 19, 2016) At page 313 of the 2016 MAR, DOC filed a NOTICE OF AMENDMENT indicating the adoption of four new rules pertaining to implementing the Medicaid rate as the reimbursement rate the State of Montana will pay health care providers for services provided to individuals in the care or custody of the DOC or the Department of Public Health and Human Services. No comments or testimony were received at the hearing.

Board of Pardons and Parole

MAR 2016 Issue No. 2 (January 22, 2016) At page 139 of the 2016 MAR, BOPP filed a NOTICE OF AMENDMENT indicating the adoption of amendments to ARM 20.25.101, 20.25.202, 20.25.401, 20.25.505, 20.25.601, 20.25.801, 20.25.901, 20.25.902, 20.25.903, and 20.25.904 regarding parole and executive clemency. No member of the public attended the hearing and no comments were received.

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