



## Children, Families, Health, and Human Services Interim Committee

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### 65th Montana Legislature

#### SENATE MEMBERS

MARY CAFERRO  
FREDERICK ( ERIC ) MOORE  
ALBERT OLSZEWSKI  
DIANE SANDS

#### HOUSE MEMBERS

KATHY KELKER  
JON KNOKEY  
DENNIS LENZ  
GORDON PIERSON

#### COMMITTEE STAFF

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

# MINUTES LOG

September 11, 2017  
Room 137, Capitol Building  
Helena, Montana

**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.

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

### **COMMITTEE MEMBERS PRESENT**

SEN. MARY CAFERRO  
SEN. FREDERICK ( ERIC ) MOORE  
SEN. ALBERT OLSZEWSKI  
SEN. DIANE SANDS

REP. KATHY KELKER  
REP. JON KNOKEY  
REP. DENNIS LENZ  
REP. GORDON PIERSON

### **STAFF PRESENT**

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

### **VISITORS' LIST** ([Attachment 1](#))

### **AGENDA** ([Attachment 2](#))

## **COMMITTEE ACTIONS**

The committee heard presentations related to its House Joint Resolution 17 study of prescription drug prices, HJR 24 study of community services for adults with developmental disabilities, and review of Medicaid expansion. The committee also reviewed four proposed administrative rules that would cut the reimbursement rates for health care and human services providers and took public comment on the proposed rate reductions.

The committee:

- voted to continue its objection to the four administrative rules proposed by the Department of Public Health and Human Services (DPHHS), thus delaying implementation of the rules;
- voted to have the staff attorney prepare a formal objection to the proposed rules for the committee to review at its November meeting;
- agreed to request more information from DPHHS about how any spending reductions adopted by the governor under 17-7-140, MCA, will affect the agency's programs;
- tentatively decided to hold a meeting in Billings in 2018, if the committee's budget allows for an out-of-town meeting; and
- reviewed and adopted the revised draft interim work plan, with a change limiting the amount of time that will be spent on the HJR 17 prescription drug study. The committee decided to limit its involvement in the study to the information received at the September meeting and a presentation by the State Auditor's Office in November, unless the State Auditor's presentation shows that legislative action could be taken to reduce drug costs.

## **CALL TO ORDER**

00:00:04 Sen. Caferro called the meeting to order at 8:00 a.m. The meeting started with a prayer and the Pledge of Allegiance to honor the anniversary of the September 11, 2001, terrorist attacks.

## **ROLL CALL**

00:02:21 The committee secretary called roll. Rep. Pierson was excused. ([Attachment 3](#))

## **REVISED DRAFT INTERIM WORK PLAN**

### **Overview of Changes - Sue O'Connell, Committee Researcher**

00:03:24 Ms. O'Connell ([Exhibit 1](#))

### **Reductions in Interim Committee Budgets**

00:11:02 Ms. O'Connell discussed budget cuts affecting all interim committees.

00:08:24 *Rep. Pierson arrived at 8:08 a.m.*

## **Public Comment on the Draft Interim Work Plan**

None.

## **HJR 20 STUDY: HEALTH CARE PRICE TRANSPARENCY**

### **HJR 20 Subcommittee Update - Rep. Kathy Kelker, Subcommittee Chair**

00:14:09 Rep. Kelker gave a preview of the upcoming HJR 20 Subcommittee meeting.

00:16:22 Ms. O'Connell noted that there are documents related to the HJR 20 Subcommittee in the packet of meeting materials.

#### Questions of Rep. Kelker

- 00:17:22 Sen. Sands asked about the scheduling of the HJR 20 Subcommittee meetings.
- 00:18:07 Rep. Pierson asked about Sen. Buttrey's replacement if Sen. Buttrey is confirmed for a federal job.
- 00:18:44 Sen. Caferro asked how the work of the HJR 20 Subcommittee would be different from the transparency bills that did not pass during the 2017 Legislature.

#### **Public Comment on the HJR 20 Study**

None.

#### **REPORTS FROM COMMITTEE MEMBERS: Recent Conferences**

- 00:21:18 Sen. Moore gave a brief synopsis of his participation in a state fiscal session at the National Conference of State Legislatures (NCSL) Summit in Boston, Massachusetts.
- 00:22:43 Sen. Sands gave a brief synopsis of her participation at the CSG-West meeting in Tacoma, Washington.
- 00:24:45 Rep. Kelker gave a brief synopsis of her participation in the NCSL Summit in Boston, Massachusetts.
- 00:27:37 Sen. Olszewski gave a presentation on his participation in an NCSL workshop on innovations for rural health care policy in Denver, Colorado.

#### **AGENCY OVERSIGHT: MEDICAID EXPANSION**

##### **Introduction - Sue O'Connell, Committee Researcher**

- 00:31:00 Ms. O'Connell ([Exhibit 2](#))

##### **Overview of Proposals to Alter Federal Medicaid Funding: Considerations for Montana - Deborah Bachrach, Manatt Health (via phone)**

- 00:43:57 Ms. Bachrach ([Exhibit 3](#))

#### Questions from the Committee

- 01:20:25 Rep. Kelker asked about the capitation model that Ms. Bachrach described and how it would affect the traditional Medicaid program and the expansion program.
- 01:24:12 Sen. Olszewski asked Ms. Bachrach about the estimated impact of the per capita cap model.
- 01:31:10 Sen. Olszewski asked Ms. Bachrach to comment on the Cassidy/Graham health care bill.
- 01:34:14 Sen. Moore asked Ms. Bachrach about the uninsured rate and data regarding the number of people who were previously insured prior to the implementation of the Affordable Care Act and are no longer insured due to costs.
- 01:36:38 Sen. Moore asked Ms. O'Connell about Medicaid expansion enrollee numbers and data on turnover rate within that population.
- 01:37:25 Ms. O'Connell said that she hopes to work with DPHHS to get that information for the next meeting.
- 01:39:38 Sen. Caferro asked about the total enrollment number for Medicaid and if Ms. Bachrach had any data to support the chart showing that 80% of the Medicaid expansion enrollees are people who are working.

### **Public Comment on Medicaid Expansion**

01:43:27 Matt Kuntz, Executive Director, NAMI Montana

01:47:16 Patty Jacques, parent of a son with disabilities

**BREAK** (reconvened at 10:13)

### **HJR 17 STUDY: PRESCRIPTION DRUG PRICES**

#### **Introduction - Sue O'Connell, Committee Researcher**

02:14:33 Ms. O'Connell ([Exhibit 4](#))

#### **Cost of Prescription Drugs to State-Funded Programs**

Duane Preshinger, Administrator, DPHHS Health Resources Division

Marilyn Bartlett, Administrator, Health Care and Benefits Division, Department of Administration

Mary Lachenbruch, Director of Insurance and Benefits, Office of the Commissioner of Higher Education

Connie Winner, Administrator, Clinical Services Division, Department of Corrections

02:16:40 Mr. Duane Preshinger ([Exhibit 5](#))

02:28:45 Ms. Marilyn Bartlett ([Exhibit 6](#))

02:42:37 Ms. Mary Lachenbruch ([Exhibit 7](#))

02:52:55 Connie Winner ([Exhibit 8](#))

#### **Questions from the Committee**

03:00:33 Rep. Pierson asked Mr. Preshinger for more information about the percentage of foster care kids being overmedicated.

03:01:08 Rep. Pierson asked Ms. Winner if the Department of Correction has done any studies about reducing waste when it comes to medications that are prescribed, never used, and then thrown out.

03:01:45 Rep. Kelker asked about educating smaller groups about any cost savings and about the role of advertisements in the use of drugs.

03:09:01 Sen. Sands commented that the fact that advertising cannot be restricted is a reminder of how little authority states have to impact prescription drug matters.

### **Public Comment on the HJR 17 Study**

03:10:00 Kris Hansen, Legal Counsel, State Auditor's Office

03:10:58 Matt Kuntz, Executive Director, NAMI Montana

03:13:28 Jim Edwards

03:15:38 Jennifer Hensley, PacificSource Health Plans

03:16:59 Jackie Mohler

03:18:56 Sen. Sands said that the opiod discussion is useful asked for a separate report from the speakers on the costs and what is being done by state programs to reduce those costs.

### **AGENCY OVERSIGHT: DPHHS UPDATE**

#### **Child and Family Services Division Report -- Shannon McDonald, Acting Economic Security Services Branch Manager, DPHHS**

03:20:42 Ms. McDonald ([Exhibit 9](#))

### **Director's Update - DPHHS Director Sheila Hogan**

03:29:38 Ms. Hogan discussed:  
03:30:00 Opioid and substance abuse crisis  
03:34:14 Suicide prevention  
03:36:50 Stars to Quality preschool pilot program  
03:37:55 Family Drug Treatment Court  
03:39:18 Governor's Conference on Aging

### **Q&A with DPHHS Representatives**

03:40:32 Rep. Knokey asked Ms. McDonald about the eight deaths she mentioned and how many instances were reported prior to the death as opposed to after the death.  
03:41:24 Ms. McDonald said she will review the deaths and provide additional information.  
03:42:09 Rep. Knokey asked about funding for direct care workers in Child and Family Services.  
03:45:18 Erica Johnston, Operation Services Branch Manager, discussed the executive budget that did not request specific dollars for staff in Child and Family Services, the governor's transfer of several positions from the Montana Developmental Center to the Child and Family Services Division, and the current participation in an effort by the Legislative Fiscal Division and PEW Charitable Trusts to review services to children and families.  
03:46:38 Rep. Kelker asked Ms. Hogan about the concept of homes for treating drug-addicted parents and the opportunity to work with the PEW Charitable Trusts.  
03:50:52 Sen. Moore asked Ms. Hogan about the federal opioid grant.  
03:51:36 Rep. Knokey commented on the 14 deaths last year that were affiliated with the Child and Family Services Division.  
03:53:31 Rep. Lenz asked Ms. McDonald about information on the eight deaths that she had discussed.  
03:57:23 Sen. Caferro noted that there were two questions submitted by the committee that the department did not answer and suggested that when Ms. Hogan receives those questions, she could e-mail the department's responses to the committee.

### **LUNCH**

04:34:02 Sen. Caferro reconvened the meeting and discussed procedures for public comment on the committee's objection to proposed administrative rules.

### **AGENCY OVERSIGHT: ADMINISTRATIVE RULE REVIEW**

#### **Summary of Recent Rules - Alexis Sandru, Committee Attorney**

04:36:51 Ms. Sandru ([Exhibit 10](#))

#### **Objection to MAR Notice Numbers 37-788, 801, 802, and 805**

04:38:24 Ms. Sandru ([Exhibit 11](#))

#### **Explanation of Objection Process - Alexis Sandru**

04:38:24 Ms. Sandru ([Exhibit 12](#))

## **DPHHS Response to Rule Objection -- Sheila Hogan, Director, Department of Public Health and Human Services**

- 04:38:10 Ms. Hogan commented on her goals and obligations as DPHHS director and discussed the 3.47% funding reduction proposed in the administrative rules.
- 04:42:06 Rep. Knokey read a brief statement on his objection to the proposed rules. **(Exhibit 13)**

## **Public Comment on the Rule Objection**

- 04:46:48 Megan Bailey, Licensed Clinical Social Worker
- 04:49:42 Faith Dawson
- 04:51:33 Jim Parker, Executive Director, Missoula Children and Family Services of Western Montana Mental Health Center
- 04:55:35 Sheila Smith, Director, Child and Adult Mental Health Services for Western Montana Mental Center, Flathead County
- 04:55:37 Teresa Nichols, Chief Financial Officer, Western Montana Mental Health Center, Missoula, distributed written comments from Jodi Daly, Western Montana Mental Health Center **(Exhibit 14)** and a summary of a Behavioral Health Alliance of Montana meeting **(Exhibit 15)**, and commented on a family member with severe mental illness.
- 04:57:43 Libby Velde **(Exhibit 16)**
- 05:00:24 Dirk Beccari, Family Based Services Supervisor, Consumer Direct Care Network
- 05:02:36 Crissie McMullan, Executive Director, Mountain Home Montana, Missoula
- 05:04:12 Ken Brown, Opportunity Resources, Missoula, commented on the rate cuts.
- 05:05:52 Michael Coe **(Exhibit 17)**
- 05:07:28 Rob Tallon, Executive Director, Reach Inc., Bozeman
- 05:08:50 Alicia Smith, Bozeman
- 05:10:23 Jed Barton, Public Relations and Government Affairs Coordinator at Living Independently for Today and Tomorrow, Billings
- 05:12:15 Diana Helgeson, Administrator, Churchill Assisted Living
- 05:14:35 Kirk Bodlovic, Providence Health and Services Montana, Polson **(Exhibit 18)**
- 05:16:13 David Munson
- 05:18:18 Alison Ball, President, Bozeman Special Education Teachers Association
- 05:20:18 Shelly Dowdle, mother of 2 disabled sons
- 05:23:05 Kelly Jepson, Consumer Direct Care Network **(Exhibit 19)**
- 05:24:40 Loretta Miller **(Exhibit 20)**
- 05:27:17 Lynn Mallowney Cabrera, Alzheimer's Association of Montana
- 05:29:03 Dr. Jane Gillette, Montana Dental Association
- 05:30:58 Tamara Nauts, Western Montana Mental Health Center, The Recovery Center of Missoula, and Montana Addiction Service Providers
- 05:32:31 Shyla Patera, North Central Independent Living Services, Black Eagle
- 05:35:48 Danielle Harden, Clinical Director, Ravalli County Western Montana Mental Health
- 05:38:21 Virjeana Brown, Medicaid recipient
- 05:39:08 Dale Patterson, EmpRes Healthcare
- 05:40:09 Jenesa Hendon
- 05:40:36 Michal Cochero, Bozeman
- 05:41:04 Denise Hauer

05:41:48 Geraldine McKenney, Great Falls  
 05:42:44 Laura Herman, Great Falls  
 05:43:07 Barb Mettler, Executive Director, South Central Regional Mental Health Center  
 05:43:25 Sidney Blair, CEO, Center for Mental Health, Behavioral Health Alliance of Montana  
 05:44:12 Fran Sadowski, CEO, Missoula Developmental Services Corp. **(Exhibit 21)** Mike  
 05:44:57 Mayer, Executive Director, Summit Independent Living, Missoula Margaret  
 05:45:41 Keener, North Central Independent Living Services  
 05:46:04 Dawn Fairbanks  
 05:46:41 Dr. Nicole Henriksen, Optometrist, Montana Optometric Association submitted  
 comments **(Exhibit 22)** and written testimony from Dr. Carl Roth **(Exhibit 23)**.  
 05:47:04 Mike White, Caslen Living Centers, Billings **(Exhibit 24)**  
 05:47:26 Susan Gecho Gobbs, Alzheimer's Association of Montana  
 05:47:56 Nick Hart, Alzheimer's Association  
 05:48:55 Kim Schweikert, Assistant Vice President, Easter Seals Goodwill Northern Rocky  
 Mountain  
 05:49:25 Mike Shavers, Yellowstone Boys and Girls Ranch and Behavioral Health  
 Association of Montana's Children and Youth Providers

**Break** (reconvened at 2:00 p.m.)

Public Comment (continued)

06:01:15 Dr. Kevin Rencher, President, Montana Dental Association,  
 06:01:32 Michelle Williamson, consumer and independent living specialist  
 06:03:12 Pat Noonan, Butte  
 06:04:15 James Harvey  
 06:05:05 Matt Bugni, Chief Information Officer, AWARE, Inc. **(Exhibit 25)**  
 06:05:40 Dan Aune, Board President, Mental Health America of Montana  
 06:06:02 Dennis Nyland, former law enforcement officer  
 06:07:13 Jessica Reynolds, speech language pathologist **(Exhibit 26)**  
 06:09:27 Lezlie Pearce-Hopper, Montana Speech-Language Hearing Association **(Exhibit  
 27)**  
 06:10:58 Jerry Smyle, The Goodman Group **(Exhibit 28)**  
 06:12:58 Travis Hoffman, Missoula, Advocacy Coordinator, Independent Living  
 06:14:14 Tyler Stosich, Montana taxpayer  
 06:15:32 Lisa Davey, parent of a disabled child  
 06:16:04 Karen Oberg, occupational therapist, Missoula **(Exhibit 29)**  
 06:17:02 Jenny Montgomery, Adapt Montana  
 06:18:10 Jim Uecker, Residential Support Services, Billings, submitted the written  
 comments from Jace Killsback, President of the Northern Cheyenne Tribe  
**(Exhibit 30)**  
 06:19:44 Brian Copeland, person with disabilities  
 06:20:38 Cynthia Verbanac, STA CNA life coach  
 06:21:52 Dave Eaton, Executive Director, Counterpoint, Inc., Livingston, and President of  
 the Montana Association of Community Disability Services System Advocacy  
**(Exhibit 31)**  
 06:24:13 Jean Morgan, WestMont  
 06:25:27 Marcia Miske



06:25:48 Lynette Johnson, Residential Support Services (RSS) **(Exhibit 32)**  
06:27:22 Tracy Blazo, speaking for Jaynia Weasel Bear, Patrick Carey, Patricia Massey, Billings  
06:30:46 Kristina Slowbarp, resident of RSS group home  
06:31:49 Jennifer Resser, RSS staff, read a letter from Mary Mitzel.  
06:33:20 Tabitha Brackney  
06:34:10 Brenda Hays, Billings  
06:35:10 Colter Brackney  
06:35:28 Stacey Wheeler, Winds of Change Mental Health Center and Western Service Area Authority  
06:35:52 Jean Curtis, Missoula County Commissioner and board member of Western Montana Mental Health Center  
06:38:37 Bryan Chalmers, Winds of Change Mental Health Center  
06:39:41 Jackie Mohler, Family Outreach  
06:40:37 Nick Zullo, President, WestMont  
06:42:20 Katie Rausch, RSS staff, Billings  
06:43:33 Linda Sherwood, mother of son with developmental disabilities  
06:45:29 Michelle Eliason, Executive Director, Milk River, Inc., Glasgow  
06:46:12 Kerry Dattilo, CEO, Quality Life Concepts  
06:47:53 Shelly Johnson, Executive Director, Alcohol and Drug Services of Gallatin County and member of the Behavioral Health Alliance, Bozeman **(Exhibit 33)**.  
06:48:40 Amy Tenney, CEO, Boyd Andrew Community Services  
06:49:26 Jackie Helt, State Director of SEIU 775  
06:50:43 Andi and Paul Odegaard (Fran Sadowski submitted their written comments: see Exhibit 21)  
06:52:11 Kwanele Ngema, Summit Independent Living  
06:53:27 Ko Moua, Western Montana Mental Health Center, Missoula  
06:54:08 Brooke Bartholomew, Executive Director, DEAP, Miles City  
06:54:47 Claudia Clifford, AARP Montana  
06:55:18 Michael Wemple, Administrator of the Living Centre, Stevensville  
06:56:16 Rose Hughes, Executive Director, Montana Health Care Association  
06:59:05 Bernadette Franks-Ongoy, Executive Director, Disability Rights Montana **(Exhibit 34)**  
07:00:49 Stacey Anderson, Deputy Director, Montana Primary Care Association  
07:01:35 Kathy McGowan  
07:04:31 Carolyn Deross, Social Services Director, Living Centre, Stevensville  
07:05:38 Beverly Urich, Peer Network, Helena  
07:06:15 Brian Kahn, Montana citizen  
  
07:11:32 Ms. O'Connell distributed public comment for the record. **(Exhibit 35)**

### **Committee Action on Withdrawing or Continuing the Objection**

#### **Motion**

07:12:17 Sen. Olszewski moved that the committee continue its current informal objection to the rules as described in the committee's letter to Director Hogan on July 26, 2017, and that it direct staff to draft a formal objection letter to be considered at the November meeting.



Discussion

07:13:59 Rep. Kelker discussed her reasons for voting against continuing the objection.

Roll Call Vote

07:18:26 The motion passed on a roll call vote, 7-1. ([Attachment 4](#))

**BREAK** (reconvened at 3:31 p.m.)

**PUBLIC COMMENT on any non-agenda item within the committee's jurisdiction**

07:32:39 June Hermanson, Program Director, Montana Youth Leadership Forum and the Montana Youth Transitions Project, discussed the elimination of programs that serve high school students with disabilities.

07:39:03 Chloe Smith, Montana Youth Leadership Forum, discussed the proposed elimination of state funding for the Montana Leadership Forum Program.

07:42:19 Shyla Patera, North Central Independent Living Services, commented on the 10% cuts proposed by DPHHS in response to the budget director's request pursuant to 17-7-140, MCA.

07:43:04 Nikita Woods ([Exhibit 36](#))

07:44:10 Jon Bennion, Department of Justice, said that he will e-mail a report that details all of the collaborative efforts looking at the substance abuse programs within the state.

07:45:16 Mary DiBiase, Montana Youth Transitions Project, commented on the project.

07:46:55 Jason Billehus, Missoula, commented on working with youth on life skills.

07:48:59 Michael Beers, advocate for Montana Youth Leadership Forum, commented on the Montana Youth Leadership Forum.

07:51:50 Tom Osborn, Executive Director, North Central Youth Living Services, asked the committee to do whatever it can against the proposed 10% cuts.

07:52:52 Susan Carlson spoke on her situation with child protective services.

07:56:05 Brooke Bartholomew asked the committee, as it studies DD services, to look at studying from birth to death instead of just adults in the waiver program.

**HJR 24 STUDY: DD SERVICES FOR ADULTS**

**Introduction - Sue O'Connell, Committee Researcher**

07:57:14 Ms. O'Connell ([Exhibit 37](#))

**Montana's Waiver Services and Individual Cost Plans**

Rebecca de Camara, Administrator, DPHHS Disability Services Division

Lindsey Carter, Regional Manager, DPHHS Developmental Disabilities Program

Matt Bugni, Chief Information Officer, A.W.A.R.E., Inc.

07:58:43 Rebecca de Camara ([Exhibit 38](#)) ([Exhibit 39](#))

08:08:32 Lindsey Carter

08:15:07 Matt Bugni

Questions from the Committee

08:20:52 Rep. Kelker asked about factors that determine who is on the waiting list for services.

08:23:50 Sen. Sands asked what would be a reasonable length of time that people should

- be on the waiting list.
- 08:27:32 Sen. Caferro asked about the number of adults and children on the waiting list, who has Medicaid, private insurance, or neither, and the length of time that an adult or child in on the waiting list.
- 08:28:09 Sen. Olszewski asked about the turnover rate of individuals on the waiting list.
- 08:28:35 Sen. Caferro asked Mr. Bugni about the \$9.80 an hour pay rate and keeping the waiting list below 500.

### **Public Comment on the HJR 24 Study**

- 08:32:47 Diane Reidelbach, Director, Job Connections, Inc., Billings
- 08:37:37 Jackie Mohler, Family Outreach
- 08:39:13 Sandi Hursh, Director of Children's Services, Quality Life Concepts, Great Falls  
**(Exhibit 40)**
- 08:41:01 Fran Sadowski, CEO, Missoula Developmental Service Corp.
- 08:44:25 Kerry Dattilo, CEO, Quality Life Concepts, Great Falls
- 08:45:54 Jean Morgan, Vice President of Programs, WestMont, Helena
- 08:48:22 Ken Brown, Opportunity Resources, Inc.
- 08:52:08 Rob Tallon, Reach, Inc.
- 08:52:53 Brooke Bartholomew

### **COMMITTEE WORK SESSION**

#### **Committee Discussion and Action on:**

#### **Revised Draft Interim Work Plan**

##### **Motion**

- 08:54:44 Rep. Kelker moved to adopt the revised work plan.

##### **Discussion**

- 08:55:06 Sen. Sands and Sen. Caferro discussed not having an out of town meeting if the committee's budget is reduced further
- 08:55:58 Ms. O'Connell discussed an out-of-town meeting in March.
- 08:56:24 Sen. Sands discussed the reauthorization of the Children's Health Insurance Program (CHIP) at the federal level and said she would like to hear a report at the next meeting about what currently exists and what the impact of the federal action would be on the CHIP program.
- 08:57:27 Rep. Lenz discussed committee oversight for DPHHS.
- 08:58:01 Sen. Caferro said that at the last meeting committee members decided that they would pick a topic and then ask DPHHS to report back at the next meeting. She asked where that was in the work plan.
- 08:58:30 Sen. Sands suggested that the committee receive more information in November about the budget cuts the governor decides to make.
- 09:01:25 Sen. Moore discussed the potential timeline for the cuts.

##### **Amended Motion**

- 09:02:22 Sen. Caferro moved to segregate the HJR 17 study of prescription drug pricing from Rep. Kelker's motion.

#### Discussion on the Amended Motion

- 09:03:10 Sen. Sands supported the motion.  
09:03:51 Rep. Lenz said that he would like to honor the legislative intent for the HJR 17 study.  
09:05:15 Sen. Caferro commented on the HJR 17 study.

#### **Vote**

- 09:05:52 The motion passed on a voice vote, 7-0, with Rep. Knokey excused.

#### **Vote on the motion to adopt the work plan as amended**

- 09:07:21 The motion passed on a voice vote, 7-0, with Rep. Knokey excused.
- 09:08:24 Sen. Sands asked about whether it would be appropriate at the next meeting to discuss the proposed 10% cuts.
- 09:08:29 Sen. Caferro discussed the questions that were sent to DPHHS for a response at the meeting. She requested that the department get those answers to the committee.
- 09:12:27 Sen. Sands asked about whether the governor's budget reductions could be made if they were contrary to existing laws or administrative rules.
- 09:12:53 Sen. Moore said there are, in general, certain things that the governor can and cannot cut under 17-7-140, MCA, without a special session.
- 09:14:27 Ms. Sandru discussed the department's rulemaking authority.

#### **COMMITTEE DIRECTION TO STAFF ON STUDY ASSIGNMENTS, MEDICAID MONITORING, AND AGENCY OVERSIGHT**

- 09:17:27 Sen. Caferro commented on the work plan and the importance of asking providers for help with regard to the DD Study.
- 09:18:13 Ms. O'Connell asked for clarification on the Child and Family Services Division information the committee wants to receive.
- 09:18:20 Sen. Moore said that he would like a brief report in writing at each meeting.

#### **ADJOURNMENT**

- 09:19:39 With no further business before the committee, Sen. Caferro adjourned the meeting at 5:19 p.m.