

STATE OF MONTANA

HEALTH ADVISORY COMMISSION MINUTES

Thursday, June 24th, 2021

1. OPEN MEETING

Representative Frank Garner called the Health Advisory Meeting to order. Representative Frank Garner; Senators Bob Keenan, Carl Glimm, Mary McNally; Reps Terry Moore, Mary Caferro, and Matt Regier; Director Adam Meier, General Counsel Anita Milanovich, and Charlie Brereton present.

2. ADMINISTRATIVE MATTERS

Director Foster briefed the commission on the work of DPHHS and provided an update on the website. Ryan Evans of OBPP provided an update on maintenance of effort.

Director Meier, per the request of the Chair, presented the model contract language informing recipients of ARPA grants that these grants were not ongoing obligations. Senator Glimm requested the language present this disclosure in a clearer way and requested that the new language be presented to the commission at a later time. Director Meier proposed additions which would be finalized for the next commission meeting.

3. PRESENTATION BY DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

Director Meier began the presentation with an update on actions subsequent to the last meeting. Director Meier provided an overview of DPHHS's process for receiving and responding to public comments.

Chair inquired if committee wanted to have an update on everything at each commission meeting. Brereton proposed that 15 minutes each meeting be dedicated to allowing commission members to highlight proposals and updates.

Director Meier provided additional updates based on requests made by the commission during the last meeting.

Director Meier presented the expenditure spreadsheet indicating what has been approved and what was spent.

4. RECOMMENDATIONS BY DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

LIHEAP Proposal: Director Meier requested the commission approve the allocation of \$27,134,445 in supplemental funds that must be obligated by the end of FY2022 to increase heat assistance payments for the vulnerable and improve health and safety by improving homes, increase benefits payments, and provide temporary benefit to cover arrearages and emergency payments. The allocation included \$2.71 million for administrative costs, \$13.5 million for home energy assistance benefits, \$4 million for Weatherization Assistance, \$770,000 for Client Education and Outreach, and \$6 million for IT System Upgrades. Questions from the commission followed. Director Meier offered to discuss the complexity and costs of IT in a future subcommittee meeting.

There were no comments from the public.

Senator Keenan moved to approve the recommendation as written: Approve the \$27,134,445 in LIHEAP funds to reduce the energy costs for low-income persons and improve the health and safety of vulnerable populations by increasing the number of weatherized homes, provide a temporary increase in benefit payments, provide a temporary benefit to cover arrearages and emergency payments, and improve integration and coordination of LIHEAP and DPHHS's other public assistance programs.

Caferro made a motion to segregate out the \$6 million request for IT, the \$4 million weatherization request, and then the remainder of the proposal. After discussion, the motion was changed to segregate out just the IT portion. The change was approved with a voice vote without objection.

Caferro moved to reduce the \$6 million IT allocation to \$3 million.

The chair called for a roll call vote on the reduction of IT from \$6 million to \$3 million. The motion passed 6-4.

Director Meier proposed altered language involving a \$3 million spending cap on IT improvements with the rest of the recommendation remaining the same. The proposed altered language was accepted without objection.

Brereton moved for the department, to extent allowed by federal guidance, to pursue the waiver from the administration for weatherization, thus increasing the allotment from 15% to 25%.

Chair called for a voice vote. The vote passes 9-1. Change in recommendation was approved.

Chair called the new altered recommendation for consideration. Director Meier read the modified recommendation to allocate \$27,134,445 for LIHEAP funds to reduce the energy costs for low-income persons and improve the health and safety of vulnerable populations by increasing the number of weatherized homes, providing a temporary increase in benefit payments, providing a temporary benefit to cover arrearages and emergency payments, to improve integration and coordination of LIHEAP and DPHHS's other public assistance programs, and pursue a waiver to allocate up to 25% on the weatherization and a cap on IT of \$3 million. Senator McNally brought up need to think about renewables in the future, and requested information on hearing how that could be done.

Chair called for a roll call vote. The motion passed 7-3.

Low-Income Home Water Assistance Program Proposal: Director Meier requested the commission approve the allocation of \$1,684,482 in LIHWAP funds. These funds will enable the state to temporarily reduce the home drinking water and wastewater costs for eligible low-income households through September 30, 2023.

No public comment provided.

Senator Bob Keenan moved to accept the department's recommendation as written: approve the allocation of \$1,684,482 in LIHWAP funds which will enable the state to temporarily reduce the home drinking water and wastewater costs for eligible low-income households through September 30, 2023. The Chair requested the federal definition of a public water source. Definition was in the ARM and in statute. DPPHS will provide additional information and advice if private water districts are included.

Chair called for a roll call vote. The motion passed 6-4.

Elder Justice Proposal: Director Meier recommended the commission allocate \$645,450 to establish three Elder Justice Councils and to establish a forensic investigator, prosecutor, and training team to improve the identification, investigation, and prosecution of adult maltreatment.

Public comment was provided in person.

Senator Keenan moved to approve the department's recommendation as written: allocate \$645,450 to establish three Elder Justice Councils and to establish a forensic investigator, prosecutor, and training team to improve the identification, investigation, and prosecution of adult maltreatment. Rep. Moore recommended an indication of how this would be funded further into the future. Need to look at increasing to 3.5 FTEs.

Chair called for a roll call vote. The motion passed unanimously.

Lunch

Chair called commission to order.

Older Americans Act Proposal: Director Meier recommended an allocation of \$7,304,925 to fund supportive services, congregate meals, home delivered meals, preventative health services, family caregiver support, and the long-term care ombudsman.

No public comment in person or online.

Senator Keenan moved to approve the department's recommendation as written: to allocate \$7,304,925 to fund supportive services, congregate meals, home delivered meals, preventative health services, family caregiver support, and the long-term care ombudsman.

Temporary Chair Keenan called for a roll call vote. The motion passed unanimously.

Child Care Stabilization Proposal: Several recommendations were presented by Director Meier. The first recommendation was to approve allocation of \$6,807,574 (ten percent) for administration operations within the stabilization funding, with half (\$3.4 million) dedicated to providing application assistance, capacity building, technical assistance, and business professional development.

The second recommendation was to approve \$31,246,766 which was 51 percent of the direct subgrant funds to be administered by DPHHS for purposes outlined by federal regulations, and to reserve recommendations for the remaining funding following an assessment of application uptake and obligation rate.

Director Meier presented additional options relating to the second recommendation. To the extent allowable by federal guidance: modify recommendation two to appropriate the full \$61,268,170 for child care provider subgrants to be administered by DPHHS for purposes outlined by the federal regulations; prioritize subgrant funds to serve as enhanced payments for child care businesses that expand hours or capacity to serve more children; prioritize subgrant funds as enhanced payments for child care businesses, including family, friend, and neighbor caregivers in child care deserts; prioritize subgrant funds as enhanced payments for child care businesses that serve unique populations such as children with disabilities, infants and toddlers, and low-income families; require applications to be

accepted from those provider types that are not licensed under the state but can assure that all federal health and safety requirements, including background checks, are met, which may include family, friend, and neighbor caregivers and faith and community-based child care programs; require child care businesses to dedicate a higher percentage of their subgrant to personnel to support recruitment and retention bonuses; and assess opportunities for the State of Montana to contract with child care providers to serve state employees, their families, and others depending on capacity, and utilize stabilization and recovery funding accordingly.

Several commission members inquired into the department's official definition of a childcare desert. Use of the 33 percent measure presented by one commenter was offered as one option. Senator Keenan has inquired into University and College system offering financial management training for childcare centers, or a partnership with AmeriCorps. The Chair asked what DPHHS exit strategy will be once these ARPA dollars run out for this set of grants.

Public comment was provided in person and online.

The Chair considered recommendation number two first and requested a motion on it. Senator Keenan moved to approve recommendation number two. Chair clarified the full grants groups are eligible for, and if that ceiling of 51 percent is reached, the department would ask for the commission to extend the limit. Motion was altered to approve recommendation number two with six of the seven additional options. Sen Glimm requested to make the final optional recommendation an assessment with a requirement for approval by the commission once the assessment is finished.

Chair called for a roll call vote. The motion passed 9-1.

Senator Keenan moved to approve recommendation number one. Chair requested a modification of the recommendation: if the department spent more than 51 percent of the \$6.8 million, DPHHS would return to the commission for approval.

Modified Recommendation from Director Meier: Recommendation number one and if the allocation exceeds \$3.4 million DPHHS will report to commission.

Chair called for a roll call vote. The motion passed 8-2.

Motion to change "approved" to "allocate" in recommendation number two. Approved without objection.

5. Deadlines and Future Meetings

Deadlines: Director Meier presented the elder justice deadline, which is June 28, 2021. Home and community based services have begun the process to meet the deadline. There are no other immediate deadlines outside of what will be presented at the July meeting.

Future Meeting Dates: Next two meeting dates are July 26, 2021, at 11:30 a.m. and August 25, 2021, at 8:30am.

Adjourned at 3:47pm.

Note: Updated books will be mailed to Senator McNally and others who could not attend.