

BEFORE THE DEPARTMENT OF PUBLIC
HEALTH AND HUMAN SERVICES
OF THE STATE OF MONTANA

In the matter of the repeal of ARM) NOTICE OF REPEAL
37.89.103, 37.89.106, 37.89.112,)
37.89.114, 37.89.115, 37.89.118,)
37.89.119, 37.89.125, 37.89.131,)
37.89.501, 37.89.503, 37.89.505,)
37.89.507, 37.89.509, 37.89.521,)
37.89.523, 37.89.525, 37.89.531, and)
37.89.541 pertaining to crisis system)
restructuring)

TO: All Concerned Persons

1. On August 5, 2022, the Department of Public Health and Human Services published MAR Notice No. 37-1003 pertaining to the public hearing on the proposed repeal of the above-stated rules at page 1526 of the 2022 Montana Administrative Register, Issue Number 15.

2. The department has repealed the above-stated rules as proposed.

3. The department has thoroughly considered the comments and testimony received. A summary of the comments received and the department's responses are as follows:

COMMENT #1: One commenter requested information regarding how the crisis system restructuring would impact Montana's three crisis centers answering 988 calls.

RESPONSE #1: The proposed rule changes will not affect 988 calls in Montana. The three crisis centers currently answering 988 calls will continue to do so. Montana's crisis system restructuring is intended to align crisis services in Montana with the nationally recognized Crisis Now Model -- someone to call, someone to respond, and somewhere to go. 988 provides the "someone to call" portion of this model. It is the goal of the department to align our state funded crisis programs with our Medicaid funded programs to increase access to services, improve service delivery, fill current gaps in the continuum of care, and streamline utilization and outcome reporting for crisis services.

COMMENT #2: One commenter requested information regarding how the removal of the 72-hour program would affect individuals above 150% federal poverty level (FPL) including information regarding the demand for services from such individuals.

RESPONSE #2: Because the 72-hour program does not have income requirements, the department does not track income levels of people receiving

services under the 72-hour program. Therefore, the department does not know what the demand has been for the 72-hour program by individuals above 150% of FPL. With adoption of this rule notice, the department is providing an expanded scope of non-Medicaid services to eligible Montanans who fall below 150% FPL. The department will monitor this program and the funding constraints inherent in a program that is not an entitlement to determine over time if it is viable to expand the program to individuals who are above 150% FPL.

/s/ BRENDA K. ELIAS
Brenda K. Elias
Rule Reviewer

/s/ CHARLES T. BRERETON
Charles T. Brereton, Director
Department of Public Health and Human
Services

Certified to the Secretary of State September 13, 2022.