

HOUSE BILL NO. 245

INTRODUCED BY E. BUTTREY, E. ALBUS, B. BARKER, M. BERTOGLIO, D. BEDEY, C. COCHRAN, J. DARLING, L. JONES, V. MOORE, G. NIKOLAKAKOS, M. NIKOLAKAKOS, G. OBLANDER, G. PARRY, C. SCHOMER, E. TILLEMANN, K. WALSH, B. GILLESPIE, J. KASSMIER, G. LAMMERS, D. LOGE, W. MCKAMEY, R. TEMPEL

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE WORKFORCE DEVELOPMENT PROVISIONS AND THE TERMINATION DATE OF THE HEALTHY MONTANA HEALTH AND ECONOMIC LIVELIHOOD PARTNERSHIP ACT; REMOVING THE REQUIREMENT FOR CONTRACTING FOR TRAINING AND EDUCATION PROGRAMS; DIRECTING THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TO APPLY FOR A MEDICAID WAIVER TO PROVIDE FOR THE MONTANA HEALTH AND ECONOMIC LIVELIHOOD PARTNERSHIP ACT; AMENDING SECTION 39-12-103, MCA; REPEALING SECTION 28, CHAPTER 368, LAWS OF 2015, SECTIONS 38 AND 48, CHAPTER 415, LAWS OF 2019, SECTION 17, CHAPTER 456, LAWS OF 2019, AND SECTIONS 3 AND 4, CHAPTER 318, LAWS OF 2021; AND PROVIDING EFFECTIVE DATES."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 39-12-103, MCA, is amended to read:

"39-12-103. (Temporary)-Montana HELP Act workforce development -- participation -- providers -- allowable activities -- report. (1) The department shall provide individuals receiving assistance for health care services pursuant to Title 53, chapter 6, part 13, with the option of taking part-participating in an employment or reemployment assessment in a the workforce development program provided for in 39-12-101 to allow the participant to increase the participant's earning capacity and economic stability. The assessment must identify any probable barriers to employment that exist for the individual.

(2) The department shall:

(a) ~~assist program participants with completion of an employment or reemployment assessment;~~

1 and

2 ~~(b) — contract with one or more private nonprofit or for-profit entities to provide workforce~~
3 ~~development services. The services must emphasize training in high-demand occupations, particularly in the~~
4 ~~health care field and in short-term certification programs for entry-level cybersecurity analysts~~ contact each
5 program participant subject to the community engagement requirements of 53-6-1308 and assist the participant
6 with completion of an employment or reemployment assessment. Based on the results of the assessment, the
7 department shall provide the participant with workforce development services.

8 (3) Allowable workforce development services include:

9 (a) education and training; and

10 (b) supportive services that assist a program participant with the items or services necessary to
11 participate in the workforce, including but not limited to supportive services involving clothing, transportation,
12 and equipment needed to obtain or maintain employment.

13 (4) Entities contracting to provide workforce development services shall report quarterly to the
14 department on the activities provided. At a minimum, the entities shall report on:

15 (a) the number of clients enrolled in program activities and co-enrolled in other workforce
16 programs;

17 (b) the types of services provided;

18 (c) the number of clients who attained a credential or gained a measurable skill;

19 (d) the number of clients who exited the program;

20 (e) the number of clients who exited the program to employment;

21 (f) the number of clients who continued enrollment in the program;

22 (g) the amount and type of outreach the entity has done to recruit program participants; and

23 (h) the amount of money spent directly on participants.

24 (5) (a) The department shall notify the department of public health and human services when a
25 participant has received all services and assistance under subsection (1) that can reasonably be provided to
26 the individual.

27 (b) The department is not required to provide further services under this section after it has
28 provided the notification provided for in subsection (5)(a).

(c) A participant who is no longer receiving services under this section does not meet the criteria of 53-6-1307(6)(c) for the exemption granted under 53-6-1307(6).

(6) The department shall report the following information to the legislative finance committee and the children, families, health, and human services interim committee in accordance with 5-11-210:

(a) the activities undertaken to establish the employer grant program provided for in 39-12-106;

(b) the number of employers receiving grant awards and the number and types of activities, training, or jobs the employers provided; and

(c) the services provided and the total cost of providing workforce development services under this chapter, including related administrative costs.

(7) To the extent possible, the department of public health and human services shall offset the cost of workforce development activities provided under this section by using temporary assistance for needy families reserve funds.

(8) The department shall reduce fraud, waste, and abuse in determining and reviewing eligibility for unemployment insurance benefits by enhancing technology system support to provide knowledge-based authentication for verifying the identity and employment status of individuals seeking benefits, including the use of public records to confirm identity and to flag changes in demographics. (~~Terminates June 30, 2025—secs. 38, 48, Ch. 415, L. 2019.~~)"

NEW SECTION. Section 2. Repealer. Section 28, Chapter 368, Laws of 2015, sections 38 and 48, Chapter 415, Laws of 2019, section 17, Chapter 456, Laws of 2019, and sections 3 and 4, Chapter 318, Laws of 2021, are repealed.

NEW SECTION. Section 3. Direction to the department of public health and human services. (1) The legislature directs the department of public health and human services to apply to the centers for medicare and medicaid services as soon as practicable and no later than 6 months from the passage and approval of [this act], for a medicaid waiver to provide, to the extent allowable, the services provided for in the Montana Health and Economic Livelihood Partnership Act.

(2) If the medicaid waiver application pursuant to subsection (1) is rejected, the legislature directs

Amendment - 2nd Reading-yellow - Requested by: Terry Falk - (H) Committee of the Whole

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Drafter: Milly Allen,

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1 the department of public health and human services to reapply to the centers for medicare and medicaid
2 services for the waiver as soon as is practicable and no later than 12 months after the rejection.

3
4 NEW SECTION. **Section 4. Effective dates.** (1) Except as provided in subsection (2), [this act] is
5 effective on passage and approval.

6 (2) [Section 1] is effective on October 1, 2025.

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