

1 SENATE BILL NO. 45
2 INTRODUCED BY W. MCKAMEY
3 BY REQUEST OF THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE STATE PLAN ON AGING LAWS TO
6 UPDATE TERMINOLOGY AND REQUIREMENTS GOVERNING THE DESIGNATION OF PLANNING AND
7 SERVICE AREAS; AMENDING SECTIONS 52-1-103, 52-3-401, 52-3-402, 52-3-405, AND 52-3-410, MCA;
8 REPEALING SECTION 52-3-403, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11
12 **Section 1.** Section 52-1-103, MCA, is amended to read:

13 **"52-1-103. Powers and duties of department.** The department shall:

- 14 (1) administer and supervise all forms of child and adult protective services;
- 15 (2) act as the lead agency in coordinating and planning services to children with multiagency
16 service needs;
- 17 (3) establish a system of councils at the state and local levels to make recommendations and to
18 advise the department on issues, including children's issues;
- 19 (4) provide the following functions, as necessary, for youth in need of care:
- 20 (a) intake, investigation, case management, and client supervision;
- 21 (b) placement in youth care facilities;
- 22 (c) contracting for necessary services;
- 23 (d) protective services day care; and
- 24 (e) adoption;
- 25 (5) register or license youth care facilities, child-placing agencies, day-care facilities, community
26 homes for persons with developmental disabilities, community homes for severely disabled persons, and adult
27 foster care facilities;

Amendment - 1st Reading-white - Requested by: Jen Gross - (S) Public Health, Welfare and Safety

- 2023

68th Legislature 2023

Drafter: Madelyn Krezowski,

SB0045.001.001

1 purposes of planning, development, delivery, and overall administration of services under the Older Americans
2 Act.

3 (4) "Services to the aged older adults" means those services the department administers pursuant
4 to the Older Americans Act.

5 (5) "State plan" means a plan developed by the department to coordinate and administer delivery
6 of services under the Older Americans Act."

7

8 **Section 3.** Section 52-3-402, MCA, is amended to read:

9 **"52-3-402. Purpose.** The purpose of this part is to grant the department authority to develop and
10 administer the state plan on aging, to coordinate services to the aged older adults pursuant to the Older
11 Americans Act, and to establish or redesignate planning and service areas pursuant to section 305 of that act.
12 It is the intent of the legislature that:

13 (1) the number of planning and service areas be limited so that unnecessary administrative costs
14 are eliminated; and

15 (2) the department and the planning and service areas regularly consult and coordinate with tribal
16 officials and tribal administrators of grants under Title VI of the Older Americans Act in developing and
17 administering the state plan on aging and in meeting requirements under section 307(a)(21) of that act."

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19 **Section 4.** Section 52-3-405, MCA, is amended to read:

20 **"52-3-405. Designation of planning and service areas.** (1) On or before October 1, 1983, and every
21 4 years following, the department shall redesignate the planning and service areas it utilizes for services to the
22 aged older adults.

23 (2) The department shall fix the number of planning and service areas at no less than 7 and no
24 more than ~~12~~ 10.

25 (3) Planning and service areas ~~shall~~ must follow either recognized county boundaries or Indian
26 reservation boundaries, or both and include Indian reservations located within the designated planning and
27 service area.