

**Education and Government Subgroup Meeting of Governor-elect Gianforte's  
COVID-19 Task Force**

Written Minutes

December 8, 2020

Meeting called to order by Kristin Hansen, Executive Director of Governor-Elect  
Gianforte's Task Force

**Roll Call:**

- Austin Knudsen, *Attorney General-elect*
- Elsie Arntzen, *Superintendent of Public Instruction*
- Troy Downing, *State Auditor-elect*
- Christie Jacobsen, *Secretary of State-elect*
- Dan Schmidt, *Superintendent of Poplar Schools*
- Hannah Nieskins, *Superintendent of Whitehall Schools*
- Rich St. John, *Chief, Billings Police Department*
- Jesse Slaughter, *Cascade County Sheriff*
- Greg Chilcott, *Ravalli County Commissioner, Montana Association of Counties*
- Rick Norby, *President, Montana League of Cities and Towns, Mayor of Sidney*
- Matthew Quinn, *Commander, Montana Air National Guard*
- Karen Sullivan, *Butte-Silver Bow Public Health Officer*
- Greg Holzman, *State Medical Officer*
- Jim Murphy, *DPHHS*
- John Cech, *President of Carroll College*
- Meghan Ballenger, *Montana Childcare Network*

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**OF MEETING PLEASE REFER**

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## **Introduction / Overview of other subgroups:**

- **Kris Hansen:** Purpose: Gathering information for Governor- elect planning team. What to do and how to use information; Overview of panels written responses. Create a message so we can do this.
- **Kris Hansen:** Business Group and Nonprofit subgroup - Working on drafts. Want a safe re-opening. The message they want to send is that they are taking steps to make things safe.
- **Kris Hansen:** Medical, Health and Logistics Group - Staffing issues. Testing and vaccination plan. Eliminate some of the isolation problems. We need to identify the problem and identify how to fix them.

## **Law Enforcement Discussion:**

- **Austin Knudsen:** Serious constitutional problems with current mandates. Local businesses have the right to handle it. Talks about fines and violations. In favor of local control model. Individual choice is better.
- **Kris Hansen:** Local ordinance questions.
- **Austin Knudsen:** Counties operating under state mandates. County health departments have their own guidelines.
- **Kris Hansen:** Title 50.
- **Rick Norby:** Agrees with Austin Knudsen on mandates. Locally controlled. Local law enforcement in his area will only respond if there are disturbances. Will back up health department. Believes first amendment is being crossed.
- **Hannah Nieskins:** Asks Austin Knudsen to clarify on the issues. Are there other issues? Masks issues?
- **Austin Knudsen:** Potential freedom of expression issue. Infringement on people's freedom of expression.
- **Hannah Nieskins:** Freedom of expression does not extend into school area.
- **Jesse Slaughter:** Agrees that law enforcement can't enforce. This is a double edge sword. Things depend on local control and local enforcement. Need direction

from Governor-elect. Government, public health and schools are based on businesses. It is about funding. Key is that businesses get open. They are the ones that fund the economy. Has confidence that we can do this. Current mandate: Trying to make the businesses be in control of mandate. ***See attached Audio for detailed conversation.***

- **Kris Hansen:** Does enforcement of regulations clash with citizens?
- **Jesse Slaughter:** Has not arrested anyone. Has a good relationship with citizens. Created a division in relationships. Feels law enforcement is in a tough spot. There will be some fracture. This is a public health crisis, not law enforcement. People are scared.
- **Kris Hansen:** How do we change that message?
- **Jesse Slaughter:** Something from the state level. Education and individual responsibility. Health department mandates need to act within the bounds of the U.S. Constitution and Montana Constitution.
- **Karen Sullivan:** We don't do our work in a vacuum. We do realize the impact. Statutes addresses communicable diseases. Have ability to determine impact on small business. Keep people safe. CARES Act. Good public health policy is a rational way. Partner with Federal efforts. We are now moving into a vaccination area. Goal will be to educate on vaccine
- **Greg Chilcott:** Constitutionality of mandates. Agrees with Austin Knudsen. Citizens want to know what our boundaries are. Citizens make good decisions. Define authority of parameters.
- **Kris Hansen:** Action item should be state level. Local response. It's a good thing, but when every county does it different it causes confusion. Who is best to put a plan in place?
- **Jesse Slaughter:** Agrees. People are afraid to take vaccine because of lack of information. Building strategy toward future.

## Vaccination Plan Discussion:

- **Kris Hansen:** Governor Bullock has a task force on a vaccine plan. Middle of December for first dosage. Surveying on who will take it and who will not. State will get vaccine. Some entities will get their own distribution, tribal, etc. Rapid testing and who can get it first.
- **Jim Murphy:** 10,000 doses earmarked for hospital frontline workers. 60,000 vaccinate 60,000 people. Essential workers. General public by spring.
- **Greg Chilcott:** Very positive going forward. EUA included.
- **Jim Murphy:** No childhood vaccine yet. Adults only. Tribes will be a separate allocation.
- **Kris Hansen:** Are tribes the only separate allocation?
- **Jim Murphy:** Nursing homes come out of our allocation. Federal teams will help. CVS and Walgreens will help with assisted living and long-term facilities.
- **Kris Hansen:** Is there any information on how long vaccine will last? Will those with antibodies need the vaccine?
- **Greg Holzman:** No one knows for sure. Will be monitoring. Two different vaccines out. More coming. Antibody issues, no idea how long immunity will last.
- **Jim Murphy:** Antibody test before vaccine. It is difficult.
- **Kris Hansen:** Why is it difficult?
- **Jim Murphy:** Antibody test is a blood test. Nobody knows for sure. Requires two doses. Lots of logistics.
- **Kris Hansen:** Antibody question: The purpose is to give antibodies. Does that increase if people have antibodies and are given the vaccine, antibodies? What value does it add
- **Greg Holzman:** Different testing. Two aspects. New concept. RNA virus. Protein. Blood responds to that. How much is the virus going to change? **Refer to audio**
- **Kris Hansen:** Do we expect annual vaccinations?
- **Greg Holzman:** Don't know
- **Kris Hansen:** Plans for children vaccines?

- **Jim Murphy:** Probably not
- **Kris Hansen:** Is task force planning on privacy for those not taking vaccine?
- **Jim Murphy:** It's a confidentiality thing.
- **Kris Hansen:** If you are a safe person, how is that handled? Planning. Private medical decision. What does the message when vaccine has been taken?
- **Jim Murphy:** We just don't know. Federal guidance. Not sure what they will come out with.
- **Kris Hansen:** Why are we saying to wait and see? Montana needs to make own decision right now in the absence of guidance.
- **Jim Murphy:** Need better information in the meantime to be on the safe side.
- **Greg Holzman:** Vaccine cannot be mandated. It's nothing that we can mandate.
- **Matthew Quinn:** Department of Defense will not make them vaccinate.
- **Kris Hansen:** Questions on contract tracing. Data that is coming out and being used. A lot of reports that are raw numbers. Confusion out there with the numbers. Risk stratification. Who is most at risk, recommendations and who is least at risk? Risk Analyst. Talk about the data:
- **Hannah Nieskins:** Data concerns. There is no great data that helps her make decisions in Jefferson County. Students and employees come from other counties. Honor system as to how long a person quarantines self. We have no access. County health department information is inaccurate for various reasons.
- **Dan Schmidt:** Multiple counties. Tribal and reservations. Case numbers have been off since the beginning. No effort to correct inaccurate data. There needs to be a reset for information. Has hired a contract tracer for help. Reports have been published with false information.
- **Kris Hansen:** Would it be better if information was taken down instead of it being inaccurate so it's not confusing?
- **Karen Sullivan:** Reporting varies. We have capacity to do that. There will always be a lag. Info comes in all day long. There is a lack of reinforcement. Seems to be a resource issue. More populated counties have reinforcement ability. Use a variety of ways to obtain data.

- **Jim Murphy:** There is a frustration with data. Numbers are what counties give us. There are misconceptions
- **Hannah Nieskins:** Staff member and students come from different counties. There is county cross over issues. Testing location can be different from residence. There is a breakdown.
- **Jim Murphy:** Misinformation delays numbers
- ***John Cech has joined the meeting.***
- **Kris Hansen:** Jesse Slaughter asks about testing and the goal of state maps. Recapping discussion on data. No point in reporting data that can't be used. Prioritize resources. What is the goal of the map?
- **Jim Murphy:** Have changed the way we use the data. More up to date. Have brought numbers into alignment. Delay in data. They get public inquiries. Public wants more data not less data. Detailed report generated every 2 weeks. Variety of sources available. Turn around time is good.
- **Hannah Nieskins:** Obligation of transparency when data was posted. Post dates from counties. Latest accurate data.
- **Jim Murphy:** It's a live data base.
- **Kris Hansen:** How testing process is working or not working. Testing protocols. Communities understanding. Timing of test results.
- **Hannah Nieskins:** School. Different between other illnesses. Rapid testing is useful in all sectors.
- **Kris Hansen:** Who does testing?
- **Hannah Nieskins:** CARES Act dollars to hire nurses to do testing.
- **Dan Schmidt:** Rapid testing 4-7 days in. Would cause more fear.
- **Hannah Nieskins:** Have to have symptoms for rapid testing.
- **Karen Sullivan:** Rely on quick turn around time. Helps with contact tracing. Slows down management. Testing infrastructure needs to remain solid.
- **Kris Hansen:** Testing infrastructure has evolved over time. Who should get tested and when? Do you have enough information?
- **Dan Schmidt:** Feels information from county health has been good.

- **Kris Hansen:** Turnaround time?
- **Dan Schmidt:** Changed for better.
- **Hannah Nieskins:** Turnaround time not ideal in my area. Results not in a timely fashion.
- **Elsie Arntzen:** Government has strings on much of data. Are they using data for other purposes? Is it to make Montana healthier?
- **Jim Murphy:** Have to comply with federal reporting requirements. There are mandates of what we have to give them. Certain data points to keep.
- **Kris Hansen:** Data points required to keep.
- **Jim Murphy:** Feds publish a lot.
- **Dan Schmidt:** Same person does actual test. Duplications?
- **Jim Murphy:** Switched over to MIDAS. Know that there are duplications.

### **School and Childcare Discussion:**

- **Hannah Nieskins:** In order to keep businesses open, schools need to be open. Risk is more for staff not students. Adults at higher risk. Not enough staff to cover sick staff.
- **Kris Hansen:** Question for Hannah: Are you testing your staff every day?
- **Hannah Nieskins:** Testing elsewhere. Problem was waiting to get tested and then waiting for results. Staffing is a huge concern. Many challenges.
- **Kris Hansen:** Was Nov. the first time shut down because of staffing?
- **Hannah Nieskins:** Yes.
- **Kris Hansen:** Morale and atmosphere
- **Hannah Nieskins:** 2 options. Remote or school. Concerned about students that are remote learning. Lose touch with them. Social and emotional issues. Also relates to domestic abuse. Not in touch with all our kids.
- **Meghan Ballenger:** Same staffing concerns. Childcare facilities. Safety protocols. Recommendations for programs. Have to meet ratios depending on programs.

Hurting childcare businesses. Decreases in enrollment. Affects work force. Will get information.

- **Jesse Slaughter:** Childcare is critical. Staff members not able to find it. Public safety.
- **Dan Schmidt:** Parents are advocating for responsibility in the home. Can cause issues. Parents have to work. Older children watching younger children. Having an effect. Point in time we need everyone on campus. Concern is asymptomatic.
- **Kris Hansen:** Can a student change mind about remote or going to school?
- **Dan Schmidt:** Did allow some student to make change.
- **Hannah Nieskins:** Every school district is different. Every 9 weeks they can change.
- **Kris Hansen:** What about extracurricular activities?
- **Hannah Nieskins:** Guidelines to run sports. Some things depend on county health department regarding certain events. Reduced ability.
- **Elsie Arntzen:** Base things on enrollment. Enrollment and attendance. Enrollment data. Increase of students. More elementary are not in school. Has data and will share. Nonpublic—home schooling. Christian and Catholic. Homeschooling is up. Purpose of data is helpful.
- **Kris Hansen:** Asks John Cech, President of Carroll College, to explain Carroll College opening plan
- **John Cech:** Explains higher education plan. Mostly online. Critical to be in person for fall. Safety protocols in classrooms and use of technology. Safety protocols in resident halls and food service. Decision to test everyone upon returning in August. Worked with nursing students. Created a bubble on campus. Went well until October. Would report positive cases but then increase in positive. Athletes was common. denominator resulting in quarantining all. ***Refer to attached audio.***
- **Kris Hansen:** Severity of sickness of students?
- **John Cech:** 60 per cent. Taste and smell. 25 percent felt bad and had a cold, 25 percent were light cases. Did not go to emergency room. A few were really sick but recovered.
- **Kris Hansen:** Higher education component used by John Cech.



- **Hannah Nieskins:** Question to John Cech. How did you control things in classrooms?
- **John Cech:** Limited class sizes, distancing, masks. Spray desk and chair areas. Sanitizers everywhere.
- **Kris Hansen:** Didn't shut down classrooms from sick students?
- **John Cech:** No
- **Kris Hansen:** Still maintained integrity of classroom.
- **John Cech:** Didn't show spread. John Cech will share marching back plan with group.
- **Kris Hansen:** How do you separate?
- **John Cech:** Split. Have 2 classes of 20. Using big screen and interactive technology.
- **Kris Hansen:** Can you replicate in high school?
- **Hannah Nieskins:** Masking, spraying, block scheduling. Attending less classes per day. Concerns are social distancing. Not the square footage to social distant properly. Different days of attending class
- **Kris Hansen:** How many positives are student vs. adults?
- **Hannah Nieskins:** Both. Explains how her school operates.
- **Kris Hansen:** Do you feel a full quarantine is warranted?
- **Hannah Nieskins:** Depends on social distancing and precautions.
- **Dan Schmidt:** Feels has done well with the positivity of cases. Staff very limited exposure. Hard to judge. Feels they have adjusted along the way. We have a lot of recovery team meetings. Local control structure has been important.
- **Meghan Ballenger:** The classrooms not much difference.
- **John Cech:** Nationally 27% of colleges fully finished. Montana being one of them. Loss of revenue if completely online.
- **Jim Murphy:** CDC shortening quarantining period. Encourage local health department to follow the science. Rapid testing lessens quarantine time.
- **Hannah Nieskins:** Glad to hear that that was encouraged.
- **Jim Murphy:** Balances the risks.

- **Hannah Nieskins:** Is this just a local decision?
- **Kris Hansen:** Up for discussion.
- **Jim Murphy:** Local health department and health control.
- **Greg Holzman:** Risk benefit issue. Trying to figure out the right ratio. Worth looking at.
- **Kris Hansen:** Set of recommendations to Governor-elect.

### **Messaging Discussion:**

- **Kris Hansen:** Need to honestly convey the message that this is serious but can still send a positive message. Fear needs to be reduced by a unified voice. Fact based data.
- **Rick Norby:** Fear factor of shutting everything down. Trouble understanding the real reason for shutting down.
- **Kris Hansen:** Business group was very concerned. Need to work out better responses. Recap of business concerns and proposals of restrictions. Working on reasonable compromises.
- **Jesse Slaughter:** Some businesses are staying open and not complying. Does want to send a clear message. Not trying to undermine anyone. We all need each other. We need to learn to live with it. Need the tax dollars, we are all funded by tax dollars. Messaging has to be long term.
- **Hannah Nieskins:** Look at restrictions in 2 categories of restrictions and need to look at separately.
- **Greg Holzman:** Information. Mask mandate showing better economics. Risk factor compromises.
- **Karen Sullivan:** Need to be careful with the messaging. Restrictions work.
- **Jim Murphy:** Some states are more restrictive than others. Decisions aren't made rashly. Encourage to work with local health departments.

- **Kris Hansen:** There has been a lot of backlash toward public health officials. Respect each other and their roles. Plan needs to get to a place where we can function normally. Balance is the hard part.
- **Jesse Slaughter:** Agrees with Kris Hansen and everyone else. People's rights and freedoms of the people are important. We cannot infringe on constitutional rights. People will deal with short-term restrictions and rights but won't on long term. Long term violates the constitution. People will revolt. Respect the will of the people.

### **Action Items:**

1. **Constitutional Analysis/ State level analysis of authority:** Austin Knudsen and Governor-elect's team, Hannah Nieskins, Jesse Slaughter
2. **Publication of Data/Assessment of data:** Jim Murphy, Greg Holzman, Gen. Quinn
3. **Assessment of Resources/ Local Health Department:** Mask guidance after the vaccine/ post recovery/ Local Health Department/testing/contract tracing - Karen Sullivan, Jim Murphy, Greg Holzman
4. **Reconvening group sizes:** Meghan Ballenger
5. **Re-evaluating reduction in quarantine time/Post recovery and guidance/post vaccine/post quarantine:** Jim Murphy

**Kris Hansen:** Wrap up and final comments.

**Adjourned**

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