



Steve Bullock
Governor

OFFICE OF THE STATE PUBLIC DEFENDER STATE OF MONTANA

William F. Hooks
Chief Public Defender

FEE SCHEDULE

Approved at the October 18, 2013 Public Defender Commission Meeting
Effective with the January, 2014 Month of Service

Subject to Change by the Commission

CONTRACT ATTORNEY

Attorney time	\$62 per hour
Attorney time, Capital Defense	\$120 per hour
Mileage	To be paid at the current state rate <i>(For services rendered outside a fifteen (15) mile radius of the principal place of business.)</i>
Office Stipend	\$25 per month <i>(OPD will not be responsible for payment of any office costs, i.e., telephone, copying, fax or postage expenses over the aforementioned stipend unless pre-approved.)</i>

CONTRACT INVESTIGATOR

Investigator time	\$46 per hour
Mileage	To be paid at the current state rate <i>(For services rendered outside a fifteen (15) mile radius of the principal place of business.)</i>



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Proposed Additions to the FEE SCHEDULE

For Discussion at the October 3, 2016 Commission Meeting

ADMINISTRATIVE SUPPORT SERVICES

All Administrative Support \$20 per hour

All requests for Contract Administrative Support must be pre-approved prior to the contractor conducting any work on OPD cases. The \$200 pre-approval limit does not apply to these providers, and a Pre-Approval is necessary in every case. The amount that is contained in the Pre-Approval is for all intents and purposes a limit on the total funds that will be paid for the service that is being requested. The pre-approved amount is not a flat fee that the provider is entitled to regardless of the amount of time the task took to complete. Invoices that are provided following the completion of the pre-approved task must be detailed and provide an explanation of how many hours the task took to complete. If a task is expected to take longer than the hours that were pre-approved, the provider must obtain a Supplemental Pre-Approval prior to incurring any cost, or the additional costs will be denied. It is the responsibility of the provider to make sure that these funds have been secured prior to incurring the cost.

CONTRACT TRANSCRIPTION SERVICES

Transcription Services \$3 per minute of audio being transcribed

Expedited Transcription Services \$4.50 per minute of audio being transcribed

****This Fee Schedule does not apply to Court Reporters.****

All requests for Contract Transcription Services must be pre-approved prior to the contractor conducting any work on OPD cases. The \$200 pre-approval limit does not apply to these providers. Each Pre-Approval Request must include the number of minutes of audio that each requested interview contains. For expedited transcription services, an explanation of the timeline and any relevant court dates is required. The amount that is contained in the Pre-Approval is for all intents and purposes a limit on the total funds that will be paid for the service that is being requested. If additional transcription services in a particular case are needed, a Supplemental Pre-Approval Request needs to be completed and approved prior to incurring any cost, or the additional costs will be denied. It is the responsibility of the provider to make sure that these funds have been secured prior to incurring the cost.



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MENTAL HEALTH PROVIDER FEE SCHEDULE

For discussion at the October 3, 2016 Public Defender Commission Meeting

Subject to Change by the Commission

PROVIDER HOURLY RATES

Psychologist, M.D., and Ph.D. -	\$125.00 per hour
APRN -	\$112.50 per hour
LCSW and LCPC -	\$75.00 per hour
LAC -	\$75.00 per hour (limited scope)

***No Show for appointment** - To be paid for one hour at 50% the Protocol-indicated hourly rate.

PROVIDER HOURLY RATES – TRAVEL

Psychologist, M.D., and Ph.D. -	\$60.00 per hour
APRN -	\$60.00 per hour
LCSW and LCPC -	\$37.50 per hour
LAC -	\$37.50 per hour

*Mileage reimbursement, overnight lodging, and per diem will be calculated at State Rate for all disciplines.

*Miles calculated via State site <http://www.mdt.mt.gov/travinfo/scripts/citydist.pl>

PROVIDER HOURLY RATES – TESTIMONY (Includes wait time)

Psychologist, M.D., and Ph.D. -	\$187.50 per hour
APRN -	\$168.75 per hour
LCSW and LCPC -	\$112.50 per hour
LAC -	\$112.50 per hour

FLAT FEE EVALUATIONS

Chemical Dependency Evaluations -	\$300.00
Sex Offender Evaluations -	\$1500.00

*Includes Risk Assessment

Under extraordinary circumstances, the Commission authorizes the Chief Public Defender to pay outside of the rate structure.

Every use of a Mental Health Provider requires a Pre-Approval. The amount that is contained in the Pre-Approval is for all intents and purposes a limit on the total funds that will be paid for the service that is being requested. The pre-approved amount is not a flat fee that the provider is entitled to regardless of the amount of time the task took to complete. (The only exceptions to this are the evaluations that receive a flat fee – Chemical Dependency Evaluations and Sex Offender Evaluations.) Invoices that are provided following the completion of an evaluation must be detailed and provide an explanation of how many hours the evaluation took and what was done during those hours to complete the evaluation. If an evaluation is expected to take longer than the hours that were pre-approved, the provider must obtain a Supplemental Pre-Approval prior to incurring any cost, or the additional costs will be denied. It is the responsibility of the provider to make sure that these funds have been secured prior to incurring the cost.

Examples of Expenses that may be approved –

- Request is for a comprehensive mental health evaluation to determine if the client has a mental health defense - \$1500 or 12 hours may be approved to complete this task if the provider were a Psychologist.
 - Request is simply to provide a diagnoses or treatment recommendations for the client - \$1000 or 8 hours may be approved to complete this task if the provider were a Psychologist.
 - Request is for a combination fitness to proceed/comprehensive evaluation - \$500 might be the initial amount approved for the fitness to proceed evaluation. If found fit, an additional \$1000 may be approved to complete the comprehensive evaluation, for a total of \$1500 or 12 hours to complete this task if the provider were a Psychologist.
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