

HOUSE BILL 1006

Introduced by Darko

3/22	Introduced
3/22	Referred to Taxation
3/23	First Reading
3/25	Fiscal Note Requested
3/27	Fiscal Note Received
	Died in Committee

1 Abuse BILL NO. 1006  
 2 INTRODUCED BY Alaska

3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE  
 5 LAW RELATING TO HEALTH SERVICE CORPORATIONS; REQUIRING  
 6 HEALTH SERVICE CORPORATIONS TO PAY THE PREMIUM TAX;  
 7 PROVIDING FOR FREEDOM OF CHOICE OF PRACTITIONERS; AMENDING  
 8 SECTIONS 33-30-102 AND 33-30-203, MCA; AND PROVIDING A  
 9 DELAYED EFFECTIVE DATE."

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

12 **Section 1.** Section 33-30-102, MCA, is amended to read:  
 13 "33-30-102. Application of this chapter -- construction  
 14 of other related laws. (1) All health service corporations  
 15 heretofore or hereafter organized are subject to the  
 16 provisions of this chapter. In addition to the provisions  
 17 contained in this chapter, other chapters and provisions of  
 18 this title apply to health service corporations as follows:  
 19 33-17-212 through 33-17-214 and chapters 1, 15, 18, 19, and  
 20 227-except-33-22-111.

21 (2) A law of this state other than the provisions of  
 22 this chapter applicable to health service corporations shall  
 23 be construed in accordance with the fundamental nature of a  
 24 health service corporation, and in the event of a conflict  
 25 between that law and the provisions of this chapter, the

1 latter shall prevail."

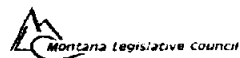
2 **Section 2.** Section 33-30-203, MCA, is amended to read:  
 3 "33-30-203. Premium tax exemption. A health service  
 4 corporation is ~~exempt from all premium taxes~~ subject to the  
 5 premium tax in 33-2-705."

6 NEW SECTION. **Section 3.** Membership contracts to  
 7 provide for freedom of choice of practitioners --  
 8 professional practice not enlarged. (1) (a) A membership  
 9 contract delivered, issued for delivery, or renewed in this  
 10 state must provide that the member has full freedom of  
 11 choice in the selection of any licensed physician, dentist,  
 12 osteopath, chiropractor, optometrist, chiropodist,  
 13 psychologist, or licensed social worker or any nurse  
 14 specialist as specified in 37-8-202 for treatment of any  
 15 illness or injury within the scope and limitations of that  
 16 person's practice.

17 (b) Whenever a membership contract insures against the  
 18 expense of drugs, the member has full freedom of choice in  
 19 the selection of any licensed and registered pharmacist.

20 (c) A health service corporation shall offer, at  
 21 additional cost to the member, the option of disability and  
 22 health insurance coverage for services performed by a  
 23 licensed professional counselor.

24 (2) Nothing in this section may be construed as  
 25 enlarging the scope and limitations of practice of any of



1 the licensed professions enumerated in subsection (1), nor  
2 may this section be construed as amending, altering, or  
3 repealing any statutes relating to the licensing or use of  
4 hospitals.

5 (3) Nothing in this section may be construed to require  
6 a health service corporation to pay those practitioners  
7 enumerated in subsection (1) an amount greater than that  
8 paid for similar services to practitioners contracting with  
9 the health service corporation.

10 NEW SECTION. Section 4. Codification instruction.  
11 [Section 3] is intended to be codified as an integral part  
12 of Title 33, chapter 30, part 10, and the provisions of  
13 Title 33, chapter 30, part 10, apply to [section 3].

14 NEW SECTION. Section 5. Effective date. [This act] is  
15 effective January 1, 1992.

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