

SENATE BILL 259

Introduced by Franklin, et al.

2/02	Introduced
2/04	Referred to Public Health, Welfare & Safety
2/04	First Reading
2/09	Fiscal Note Requested
2/11	Hearing
2/14	Committee Report--Bill Passed
2/16	Fiscal Note Received
2/16	Fiscal Note Printed
2/16	2nd Reading Passed
2/18	3rd Reading Passed
	Transmitted to House
3/04	First Reading
3/04	Referred to Human Services & Aging
3/12	Hearing
3/13	Committee Report--Bill Concurred
3/15	Rereferred to Appropriations
4/04	Hearing
4/04	Tabled in Committee

1 *Senate* BILL NO. *259*
 2 INTRODUCED BY *Rep. Paul Smith*
 3 *Kenney, Paul Smith, G. Vinson, J. Ferguson*
 4 *Richard L. ...*
 5 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE DUTY OF
 6 THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES TO
 7 PROVIDE CONSULTATION SERVICES TO SCHOOL AND LOCAL COMMUNITY
 8 HEALTH NURSES; AMENDING SECTION 50-1-202, MCA; AND PROVIDING
 9 AN EFFECTIVE DATE."

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

11 **Section 1.** Section 50-1-202, MCA, is amended to read:

12 "50-1-202. General powers and duties. The department
13 shall:

- 14 (1) study conditions affecting the citizens of the
- 15 state by making use of birth, death, and sickness records;
- 16 (2) make investigations, disseminate information, and
- 17 make recommendations for control of diseases and improvement
- 18 of public health to persons, groups, or the public;
- 19 (3) at the request of the governor, administer any
- 20 federal health program for which responsibilities are
- 21 delegated to states;
- 22 (4) inspect and work in conjunction with custodial
- 23 institutions and Montana university system units
- 24 periodically as necessary and at other times on request of
- 25 the governor;

- 1 (5) after each inspection made under subsection (4) of
- 2 this section, submit a written report on sanitary conditions
- 3 to the governor and to the director of institutions or
- 4 commissioner of higher education and include recommendations
- 5 for improvement in conditions if necessary;
- 6 (6) advise state agencies on location, drainage, water
- 7 supply, disposal of excreta, heating, plumbing, sewer
- 8 systems, and ventilation of public buildings;
- 9 (7) organize laboratory services and provide equipment
- 10 and personnel for those services;
- 11 (8) develop and administer activities for the
- 12 protection and improvement of dental health and supervise
- 13 dentists employed by the state, local boards of health, or
- 14 schools;
- 15 (9) develop, adopt, and administer rules setting
- 16 standards for participation in and operation of programs to
- 17 protect the health of mothers and children, which rules may
- 18 include programs for nutrition, family planning services,
- 19 improved pregnancy outcome, and those authorized by Title X
- 20 of the federal Public Health Service Act and Title V of the
- 21 federal Social Security Act;
- 22 (10) conduct health education programs;
- 23 (11) provide consultation and other services to school
- 24 and local community health nurses in the performance of
- 25 their duties, as required in [section 2];



1 (12) consult with the superintendent of public
2 instruction on health measures for schools;

3 (13) develop, adopt, and administer rules setting
4 standards for a program to provide services to handicapped
5 children, including standards for:

- 6 (a) diagnosis;
- 7 (b) medical, surgical, and corrective treatment;
- 8 (c) after-care and related services; and
- 9 (d) eligibility;

10 (14) provide consultation to local boards of health;

11 (15) bring actions in court for the enforcement of the
12 health laws and defend actions brought against the board or
13 department;

14 (16) accept and expend federal funds available for
15 public health services;

16 (17) have the power to use personnel of local
17 departments of health to assist in the administration of
18 laws relating to public health;

19 (18) after consultation with the board, adopt rules
20 imposing fees for the tests and services performed by the
21 laboratory of the department. Fees, established on an annual
22 basis, should reflect the actual costs of the tests or
23 services provided. The department may not establish fees
24 exceeding the costs incurred in performing tests and
25 services. All fees shall be deposited in the state special

1 revenue fund for the use of the department in performing
2 tests and services.

3 (19) adopt and enforce rules regarding the definition of
4 communicable diseases and the reporting and control of
5 communicable diseases; and

6 (20) adopt and enforce rules regarding the
7 transportation of dead human bodies."

8 NEW SECTION. Section 2. Services for local health
9 nurses. The department shall provide the following services
10 to school and local community health nurses:

11 (1) technical assistance in the development,
12 implementation, and evaluation of health programs;

13 (2) professional consultation regarding public health
14 and health care delivery; and

15 (3) continuing education programs.

16 NEW SECTION. Section 3. Codification instruction.
17 [Section 2] is intended to be codified as an integral part
18 of Title 50, chapter 1, part 2, and the provisions of Title
19 50, chapter 1, part 2, apply to [section 2].

20 NEW SECTION. Section 4. Effective date. [This act] is
21 effective July 1, 1991.

-End-

STATE OF MONTANA - FISCAL NOTE
Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0259, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

A bill to clarify the duty of the Department of Health and Environmental Sciences to provide consultation services to school and local community health nurses.


ASSUMPTIONS:

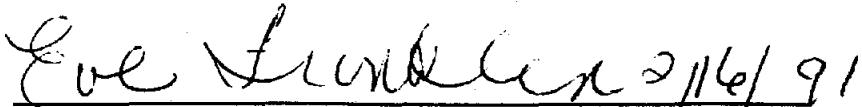
- 2.50 additional FTE will be required; 2.00 FTE grade 15, step 12, professional nurses with masters degrees and a .50 FTE grade 8, step 2, clerical position.
- Annual travel would include trips to 50 county and 12 regional sites @ \$200 per trip. Annual training for county nurses would be conducted in each of 12 regional sites and one out-of-state training session for DHES staff @ \$500 per session.

FISCAL IMPACT:

Department of Health:

<u>Expenditures:</u>	<u>FY 92</u>			<u>FY 93</u>		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
FTE	0.00	2.50	2.50	0.00	2.50	2.50
Personal Services	0	82,671	82,671	0	82,480	82,480
Operating Expenses	0	39,554	39,554	0	39,522	39,522
Equipment	0	4,500	4,500	0	0	0
Total	0	126,725	126,725	0	122,002	122,002
<u>Funding:</u>						
General Fund	0	126,725	126,725	0	122,002	122,002

 2-15-91
ROD SUNDSTED, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

 2/16/91
EVE FRANKLIN, PRIMARY SPONSOR DATE
Fiscal Note for SB0259, as introduced SB 259

APPROVED BY COMMITTEE
ON PUBLIC HEALTH, WELFARE
& SAFETY

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INTRODUCED BY *Greg J. Paul, Senate*
Robert S. Lewis, Senate
Richard S. Lewis, Senate
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- (5) after each inspection made under subsection (4) of this section, submit a written report on sanitary conditions to the governor and to the director of institutions or commissioner of higher education and include recommendations for improvement in conditions if necessary;
- (6) advise state agencies on location, drainage, water supply, disposal of excreta, heating, plumbing, sewer systems, and ventilation of public buildings;
- (7) organize laboratory services and provide equipment and personnel for those services;
- (8) develop and administer activities for the protection and improvement of dental health and supervise dentists employed by the state, local boards of health, or schools;
- (9) develop, adopt, and administer rules setting standards for participation in and operation of programs to protect the health of mothers and children, which rules may include programs for nutrition, family planning services, improved pregnancy outcome, and those authorized by Title X of the federal Public Health Service Act and Title V of the federal Social Security Act;
- (10) conduct health education programs;
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 3 *Kennedy* *Bull* *Spencer* *Oliver* *Pin* *Wassett* *Jargason*
 4 *Pickar* *Spencer* *Demity*
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