#### MINUTES OF THE MEETING

#### PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE

March 25, 1977

The thirty-second meeting of the Public Health, Welfare and Safety Committee was called to order in Room 405 of the State Capitol Building by Chairman Stan Stephens on Friday, March 25, for executive session.

ROLL CALL: All members of the Committee were present. (See Roll Call.)

#### EXECUTIVE ACTION ON THE FOLLOWING BILLS:

ACTION ON HOUSE BILL 298: After a short discussion which brought out some of the Committee members' thoughts on this proposed legislation, including but not limited to the following points - 1) The possibility this legislation would get the State into manufacturing versus private enterprise; 2) The idea that this subject could better be addressed through a Governor's directive, etc.; 3) The title does not seem to conform to the rest of the bill; 4) There is already legislation on the books to encourage this sort of State participation in workshop products - the Committee then considered Senator Himsl's motion of BE NOT CONCURRED IN - The motion carried, 4 - 2, with Senator Watt abstaining and Senator Roberts not yet present in Committee.

Senator Roberts, who was not present at the time this bill received a Be Not Concurred In vote, later asked the Chairman if the Committee would hold this bill in Committee until he could bring late amendments in for the members' consideration and reconsider the bill. The Chairman granted Senator Roberts' request and instructed Committee Secretary Allen to hold the bill.

ACTION ON HOUSE BILL 307: With almost no discussion, Senator Lee moved BE CONCURRED IN - Motion carried, 6 yes, 1 no, 1 absent. (Senator Stephens will carry on Senate floor.)

ACTION ON HOUSE BILL 360: The Committee spent considerable time discussing this bill. Questions were asked of various persons attending the meeting, namely, Chad Smith of the Hospital Association, Rod Gudgel of the Nursing Home Association, and George Fenner of the State Department of Health. 1) Senator Rasmussen asked if it was anticipated many hospitals want to get into home health care - the answer was negative. Chad Smith said hospital's objection was the additional burden of more government inspection and red tape on the licensing. 2) The question was raised as to differentiating between the profit and non-profit facilities. 3) Mr. Fenner said any new home

health care agency would have to go through certificate of need - they would then be referred to sub-area council. 4) HB663 was talked about - Mr. Fenner said HB360 was not needed for HB663, or vice versa.

Senator Watt moved adoption of Representative Cooney's 10 amendments - motion carried on voice vote.

Senator Rasmussen moved adoption of Hospital Association's amendment (see Exhibit "A") - motion failed (see roll call vote).

Senator Lee moved <u>HB360</u>, <u>AS AMENDED</u>, <u>BE CONCURRED IN</u> - Senator Watt seconded the motion - motion carried 6 yes, 1 no, 1 abstain. (Senator Lee will carry the bill on Senate floor.)

ACTION ON HOUSE BILL 487: A short discussion covered the following matters: 1) This bill is a copy of a bill in the State of Oregon; 2) Pharmacists will have a variety of ways to meet this bill's continuing educational requirements; 3) A pharmacist flunking open book examination would be subject to review; 5) 1979 effective date discussed; 6) Senator Olson said he has difficulty with this bill, in that it is going to do something HB286 also addresses, through language on page 6, line 4 where it gives power to pharmacists which currently rests with doctors.

By a voice vote, the Committee adopted the amendment proposed by the Montana Pharmaceutical Association (see Standing Committee Report).

Senator Rasmussen moved the bill AS AMENDED, BE CONCURRED IN - on a 4 - 4 tie, HB487 Reported Out of Committee WITHOUT RECOMMENDATION. (Senator Rasmussen will carry on Senate floor.)

ACTION ON HOUSE BILL 585: The Committee questioned Mona Jamison and Max Botz of Health and Environmental Sciences Department, as well as Montana Petroleum Association's Don Allen, and Montana Coal Council's Jim Mockler for their reasons behind their language preferences in certain sections of this bill. Jamison said in the water quality act, it already states that this chapter applies to drainage or seepage. The Department, however, for their own safety, feels that it would serve for clarification if the word, "introduction," were used in this The Department feels the word, "discharge," in present bill. statute is vaque, and "introduction" would clarify what they She added the intent is to address reclassification of streams which have previously been mis-classified due to lack of data (this reclassification would be done after public hearings). If they found old data wrong, the Department, under this legislation, could go across the State reclassifying.

Max Botz said this bill is not to solve any problems with the oil industry but to address "diffuse" problems. He suggested the amendments (see Standing Committee Report).

Senator Roberts moved adoption of Mr. Botz' amendments - adopted by voice vote. He then moved HB585, AS AMENDED, BE CONCURRED IN - motion carried unanimously.

ACTION ON HOUSE BILL 730: Discussion before acting on this bill covered the Committee's question on the actual need for this legislation, especially since it would require investigation of private homes (foster). It was suggested the initial investigation of the foster and group homes should cover everything.

An amendment (see Stnading Committee Report) was moved by Senator Norman - adopted on a voice vote.

Senator Lee then moved HOUSE BILL 730, AS AMENDED, BE CONCURRED IN - on a 4 - 4 tie vote, the Committee reported HB730 out WITHOUT RECOMMENDATION.

ADJOURNMENT: With no further business at this time, Chairman Stephens adjourned the meeting.

STAN STEPHENS, Chairman

PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE

45th LEGISLATIVE SESSION - 1977

PRESENT: ABSENT: NAME: **EXCUSED:** LEE, Robert LEE RASMUSSEN, Ton RASMU OLSON, Stuart 3. OLSON HIMSL HIMSL, Matt WATT, Robert TTAW 5. ROBERTS, Joe ( Late ROBER NORMAN, Bill, V. Chm. NORMA 7. STEPHENS, Stan, Chairman STEPH 8.

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### ROLL CALL VOTE

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Respectfully report as follows: The	HOUSE			Bill No360	
third reading bi	ll, be amen	ded as Io	ffoasi		
1. Amend page 3	, section 2	, line 2.			
Following: "the	nt te				•
Strike: "person Insert: "home h	salth agenc	<b></b>			
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2. Amend page 3	, section 3	, line 12			
Following: line Insert: "(2) An	existing ac	ency must	be awarded a	certificate of	need
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or the addition	of a new se	rvice.			
Renumber: subse	quent subse	ctions			
3. Amend page 3	, section 3	, line 15			
Following: line	14				
Strike: lines l	· ·				
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Chairman.

STATE PUB. CO, Helena, Mont. 4. Amend page 4, section 3, line 21. Following: ";"
Insert: "and"

5. Amend page 4, section 3, line 23. Following: "project" Strike: "; and" Insert: "."

6. Amend page 4, section 3, lines 24 and 25. Pollowing: line 23 Strike: lines 24 and 25 in their entirety

7. Amend page 6, section 8, line 14. Following: "1861" Strike: "(k) and"

8. Amend page 6, section 8, line 15. Following: "under" Strike: "Titles" Insert: "Title"

9. Amend page 6, section 8, line 16. Following: line 15 Strike: "and XX"

10. Amend page 7, section 10, lines 11 and 12. Following: "without" Strike: "prior written approval" Insert: "a certificate of need issued"

AND, AS SO AMENDED, BE CONCURRED IN.

STAN STEPHENS, Chairman



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having had under consideration	House	B	ill No. 307
We, your committee on	***************************************		
We, your committee on	UBLIC HEAD	TH, WELARE AND BAPETY	
MR. PRESIDENT			

Respectfully report as follows: That HOUSE Bill No. 307

BE CONCURRED IN.

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President						
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	House					Bill No <b>4.8.7</b>
having had under consideration						

Respectfully report as follows: That HOUSE third reading bill, be amended as follows:

1. Amend page 5, Section 3, line 7. Following: "hours of" Insert: "approved"

AND, AS SO AMENDED, BE CONCURRED IN

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MARCH 25

PRESIDENT							
We, your committee on	PUBLIC HE	alth,	WELFARE	AMD 8	afety		
having had under consideration	HOUSE	•••••				Bill No.	585

Respectfully report as follows: That BOUSE Bill No. 585

third reading bill, be amended as follows:

1. Amend page 2, Section 1, lines 17 and 18.

Pollowing: "discharge"

Strike: "or introduction"

Insert: ", seepage, drainage, infiltration or flow"

2. Amend page 2, Section 1, line 23.

Following: "discharge"

Insert: ", seepage, drainage, infiltration or flow"

AND, AS SO AMENDED, BE CONCURRED IN

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STAN STEPHENS

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having had under consideration.	House			**********	В	II No739
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We, your committee on	PUBLIC	HEALTH,	WELFARE AND	SAFETY		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
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MR. PRESIDENT						
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Respectfully report as follows: That HOUSE 830

third reading bill, be amended as follows:

1. Amend page 1, Section 1, line 17.
Pollowing: "adopt"
Indert: "operational"

AND, AS AMENDED, BE CONCURRED IN.

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"WTAN STEPHENS

Chairman.