

MINUTES OF THE MEETING

PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE

March 31, 1977

The thirty-seventh meeting of the Public Health, Welfare and Safety Committee was called to order by Chairman Stephens in Room 405 of the State Capitol Building on the above date at approximately 5:15 P.M.

ROLL CALL: All members of the Committee were present.

EXECUTIVE SESSION for work on the following bills - (all House bills) 455, 658, 772, 286, and 627.

ACTION ON HOUSE BILLS 455: With no discussion, Senator Roberts moved HB455 BE CONCURRED IN - 7 voted yes (1 Senator late and missed vote). (Senator Roberts will carry on Floor.)

ACTION ON HOUSE BILL 658: After a short discussion, Senator Rasmussen moved BE CONCURRED IN - 5 voted yes, 2 no, 1 absent on the vote. (Senator Norman will carry on Floor.)

ACTION ON HOUSE BILL 772: This bill was held up for a few days until the Subcommittee could report back to the whole Committee. Following Senator Norman's report, Senator Norman moved HB772, AS AMENDED, BE CONCURRED IN - unanimous vote yes. (Senator Watt will carry.)

ACTION ON HOUSE BILL 286: This generic drug bill demanded a lot of attention from Committee members - long testimony was given at a prior hearing. Senator Norman gave the Committee direction in trying to amend the bill to the Committee's satisfaction so that a vote could be taken. Lobbyists for Montana State Pharmaceutical Association and Montana Medical Association were on hand to answer more questions. Senators Olson, Norman, and Rasmussen gave the Committee the benefit of their years of service as doctors. Senator Rasmussen made the observation that the V.A. has substituted generic drugs for years. Senators Norman, Roberts and Watt moved the various amendments the Committee adopted (See Standing Committee Report). Senator Watt then moved HB286, AS AMENDED, BE CONCURRED IN - on a tie vote of 4-4, bill was reported out of Committee WITHOUT RECOMMENDATION. (Senator Watt will carry on Senate Floor.)

ANNOUNCEMENTS: Chairman Stephens asked the Committee to wait until Tuesday, April 5, to take action on HB627 because of its complexity.

ADJOURNMENT: With no further business at this time, Chairman Stephens adjourned the meeting at 7:10 P.M.


STAN STEPHENS, Chairman

ROLL CALL

VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE AND SAFETY

45th LEGISLATIVE SESSION - 1977.

Date 3/31 Bill No. HB386 Time

NAME S:

YES

NO

	YES	NO	
LEE, Robert	✓		LEE
RASMUSSEN, Tom	2		RASMU
OLSON, Stuart		1	OLSON
HIMSL, Matt		2	HIMSL
WATT, Robert	3		WATT
ROBERTS, Joe		3	ROBER
NORMAN, Bill - V. Chm.	(4)		NORMA
STEPHENS, Stan - Chairman		(4)	STEPI

Joyce (Kelly) Allen
Secretary

STAN STEPHENS
Chairman

Motion: Senator Watt moves
As Amended, Be Concurred In.

Without Recommendation

(include enough information on motion—put with yellow copy of

ROLL CALL

VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE AND SAFETY

45th LEGISLATIVE SESSION - 1977.

Date 3/31/77 Bill No. HB 772 Time 5:30

NAME S:

YES

NO

	YES	NO
LEE, Robert	1	LEE
RASMUSSEN, Tom	2	RASMUSSEN
OLSON, Stuart	3	OLSON
HIMSL, Matt	4	HIMSL
WATT, Robert	5	WATT
ROBERTS, Joe	6	ROBERTS
NORMAN, Bill - V. Chm.	7	NORMAN
STEPHENS, Stan - Chairman	8	STEPHENS

Joyce (Kelly) Allen
Secretary

STAN STEPHENS
Chairman

Motion: SENATOR NORMAN MOVED,

AS AMENDED, BE CONCURRED IN.

SENATOR WATT WILL CARRY

(include enough information on motion—put with yellow copy of minutes)

ROLL CALL

VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE AND SAFETY

45TH LEGISLATIVE SESSION - 1977.

Date 3/31/77 Bill No. 658 Time _____

NAME S:

	YES	NO
LEE, Robert	ABSENT	LEE
RASMUSSEN, Tom	1	RASMUSSEN
OLSON, Stuart		1 OLSON
HIMSL, Matt		HIMSL
WATT, Robert	2	WATT
ROBERTS, Joe	3	ROBERTS
NORMAN, Bill - V. Chm.	4	NORMAN
STEPHENS, Stan - Chairman	5	STEPHENS

Joyce (Kelly) Allen
Secretary

STAN STEPHENS
Chairman

Motion: SENATOR RASMUSSEN MOVED HB658 BE CONCURRED IN.

SEN. NORMAN WILL CARRY

(include enough information on motion—put with yellow copy of

ROLL CALL

VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE AND SAFETY

45th LEGISLATIVE SESSION - 1977.

Date 3/31/77 Bill No. 455 Time

NAME S:	YES	NO
LEE, Robert		Absent LEE
RASMUSSEN, Tom	1	RASMU
OLSON, Stuart	2	OLSON
HIMSL, Matt	3	HIMSL
WATT, Robert	4	WATT
ROBERTS, Joe	5	ROBER
NORMAN, Bill - V. Chm.	6	NORMA
STEPHENS, Stan - Chairman	7	STEPH

Joyce (Kelly) Allen
Secretary

STAN STEPHENS
Chairman

Motion: SENATOR ROBERTS MOVED HB455 BE CONCURRED IN.

SEN. ROBERTS WILL CARRY

(include enough information on motion—put with yellow copy of

STANDING COMMITTEE REPORT

APRIL 1

19 77

MR. PRESIDENT

We, your committee on PUBLIC HEALTH, WELFARE AND SAFETY

having had under consideration HOUSE Bill No. 658

Respectfully report as follows: That HOUSE Bill No. 658

BE CONCURRED IN.

~~DOX 1156X~~

STANDING COMMITTEE REPORT

APRIL 1

19 77

MR. PRESIDENT

We, your committee on S PUBLIC HEALTH, WELFARE AND SAFETY

having had under consideration HOUSE Bill No. 455

Respectfully report as follows: That HOUSE Bill No. 455

BE CONCURRED IN.

RECEIVED



STANDING COMMITTEE REPORT

APRIL 1

19 77

MR. PRESIDENT

We, your committee on PUBLIC HEALTH, WELFARE AND SAFETY

having had under consideration HOUSE

Bill No. 772

Respectfully report as follows: That HOUSE Bill No. 772

third reading bill, be amended as follows:

1. Amend page 3, section 1, line 11.

Following: line 10

Insert: "(5) "Planning and advisory council" means the developmental disabilities planning and advisory council created in 71-2406."

2. Amend page 5, section 3, lines 5 through 8 and 9.

Following: "(1)"

Strike: "The department shall control developmental disabilities programs which receive any state assistance by adopting rules, for providing developmental disabilities facilities and services."

Insert: "The department may adopt rules necessary for the proper administration of this chapter.

(2) The department may contract for programs for developmental disabilities services. Contracts entered into by the department shall contain specific conditions for performance by the contractor."

Renumber subsequent subsections.

~~DO PASS~~

(more)

APRIL 1, 1977

3. Amend page 5, section 3, line 10.

Following: "qualifications"

Strike: ","

4. Amend page 5, section 3, lines 10 and 11.

Following: "and"

Strike: "compensation scales, and personnel policies"

5. Amend page 5, section 3, line 22.

Following: "rules"

Insert: "in cooperation with the board of nursing"

6. Amend page 6, section 3, line 1.

Following: "assist"

Strike: "in the administration of medication to"

Insert: "and supervise"

7. Amend page 6, section 3, line 2.

Following: "facility"

Insert: "in taking medication."

8. Amend page 6, section 3, line 2.

Following: "is"

Strike: "normally"

Insert: "usually"

9. Amend page 6, section 4, line 9.

Following: line 8

Strike: "82A-110"

Insert: "the provisions of this section"

10. Amend page 6, section 4, line 10.

Following: "twenty-one {"

Strike: "21"

Insert: "22"

11. Amend page 6, section 4, line 19.

Following: "psychology,"

Strike: "and"

Following: "social work"

Insert: ", and special education"

12. Amend page 7, section 4, line 17.

Following: "(c)"

Strike: "Seven"

Insert: "Eight"

AND, AS SO AMENDED, BE CONCURRED IN.

STAN STEPHENS, Chairman

STANDING COMMITTEE REPORT

APRIL 1

19 77

MR. PRESIDENT

We, your committee on PUBLIC HEALTH, WELFARE AND SAFETY

having had under consideration HOUSE Bill No. 286

Respectfully report as follows: That HOUSE Bill No. 286

third reading bill, be amended as follows:

1. Amend page 3, section 3, line 6.

Following: "select"

Strike: "an equally priced or"

Insert: "a"

2. Amend page 3, section 3, line 17.

Following: "patient."

Strike: "An example of an acceptable certification would be the notation "medically necessary" or words of similar meaning on the face of a written prescription. In no case may a facsimile of the handwritten signature be preprinted to indicate "medically necessary."

XXXXX
DO PASS

(MORE)

PAGE 2

AMENDMENTS TO HB286

April 1, 1977

3. Amend page 4, section 5, line 17.

Following: "Section 5."

Strike: lines 17 through 20 in their entirety.

Insert: "Savings passed on." (1) A pharmacist selecting a less expensive drug product must pass on to the purchaser the full amount of the savings realized by the product selection. In no event may the pharmacist charge a different professional fee for dispensing a different drug product than the drug product originally prescribed."

4. Amend page 5, section 6, lines 6 through 9.

Following: line 5

Strike: Section 6 in its entirety.

Renumber: subsequent sections.

5. Amend page 12, section 11, line 6.

Following: "specifies"

Strike: ", "except as provided in the Montana Drug Product Selection Act."

AND, AS SO AMENDED, WITHOUT RECOMMENDATION.

STAN STEPHENS, Chairman