

MINUTES OF THE MEETING  
PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE  
MONTANA STATE SENATE

APRIL 4, 1985

The meeting of the Senate Public Health, Welfare and Safety Committee was called to order by chairman, Judy Jacobson on Thursday, April 4, 1985 in Room 410 of the State Capitol at 3:25.

ROLL CALL: All members were present with the exception of Senator Lynch. Senator Towe arrived late. Andrea Merrill, staff researcher, was also present.

CONSIDERATION OF SENATE JOINT RESOLUTION 37: Senator Tom Hager of Senate District 48 in Billings, the sponsor of SJR 37, gave a brief resume of the bill. This bill is a resolution of the Senate and the House of Representatives of the State of Montana requesting an interim study to evaluate the functions of licensing boards for health-related professions and occupations and to make recommendations on reducing the number of such boards.

Senator Hager stated that the Department of Commerce administers 18 health-related boards. He feels that it is necessary to do a study on the boards most especially the small boards. Many of the boards are having money problems and, therefore, can only deal with examinations and licenses and do not have money left for liability and other problems which may arise.

Rose Skoogs, executive secretary of the Montana Health Care Association, stood in support of the bill. The Nursing Home Board has 300 licensees, some are active and some are inactive. The board administers exams and also administers the licenses. The fees are going up and the services are going down. She felt that a study would be an efficient way to handle the problem.

Clay Edwards from Dillon, the president of the Montana Chapter of the American Physical Therapy Association, stood in support of the bill. He stated that he believes that the legislative problems that are behind the study can be addressed. He would like to see input from the Professions whose boards will be evaluated by this study. It is imperative that those

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professions be represented on the study commission. If not, the committee will likely face bitter opposition in 1987 when they try to implement any recommendations. Mr. Edwards handed in written testimony for the record. See attachments.

Senator Towe arrived.

Bill Leary representing the Montana Hospital Association, stood in support of the concept of the bill. He stated that some boards are reluctant to take disciplinary actions on their members perhaps this commission could also address that problem. Mr. Leary stated that he would like to be an advisor to the study commission for the hospital boards.

With no further proponents, the chairman called on the opponents.

Roland D. Pratt, representing the Montana Optometric Association and also the Montana Funeral Directors Association, stood in opposition to the bill. He stated that his groups do not feel that the individual boards do not have enough expertise of each other to be combined. He stated that they would like to see the bill amended to include the names of the boards being studied. They are not against the study, however, they are not specific and clear enough in the bill.

With no further opponents, the meeting was opened to a question and answer period from the Committee.

Senator Stephens asked Clay Edwards if his board would object to being put with other boards. He stated that he did not know at this time. He would need more information regarding how it would be handled.

Senator Stephens asked if they would object to being placed with the occupational therapist and respiratory therapist. Mr. Edwards stated that he would again state that with more information he would be able to answer the question.

Senator Hims1 stated that many times they have tried to put some of the boards together to no avail. They have tried to set up a super board. It seems that licensing cannot be stopped and each session more people are coming in wanting a board and licensing.

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Senator Himsel stated that perhaps this is an exercise in futility.


Senator Towe stated that the Advisory Board would be of help for the Commission.

Senator Jacobson stated that some of the boards are having trouble financially and perhaps their problems could be taken care of with the study. Maybe the time has come to have fewer boards and put some of them together.

ACTION ON SJR 37: A motion was made by Senator Norman that SJR 37 receive a DO PASS recommendation from the Committee. Motion carried, with all those present voting "yes" with the exception of Senator Newman who voted "no".

ANNOUNCEMENTS: The next meeting of the Senate Public Health, Welfare and Safety Committee will be held on Tuesday following adjournment to consider House Bill 843, the general assistance bill.

ADJOURN: With no further business, the meeting was adjourned.

  
SENATOR JUDY JACOBSON  
CHAIRMAN

eg

## PUBLIC HEALTH, WELFARE &amp; SAFETY COMMITTEE

Date 4-4-85

#

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Each day attach to minutes.

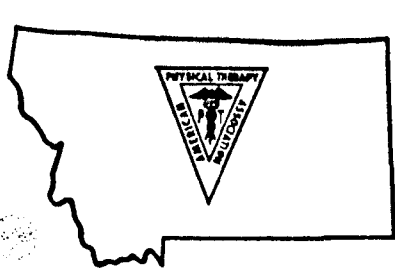
4-6-85

Senate Public Hearing Room

Subs. 1

X

(Please leave prepared statement with Secretary)



MONTANA CHAPTER  
OF THE  
AMERICAN PHYSICAL THERAPY ASSOCIATION  
Clay Edwards, President

Senate Public Health and Welfare Committee

RE: Senate Joint Resolution #37

I am Clay Edwards from Dillon and President of the Montana Chapter of the American Physical Therapy Association. Although we have been a major opponent to combined licensing boards I am not here to oppose this resolution, but I would like to express a concern and make a request.

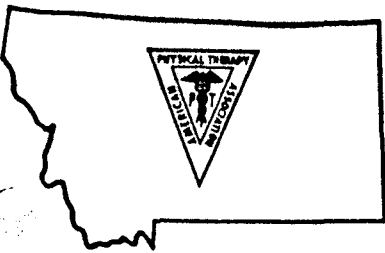
I do believe the legislative problems that are behind this resolution can be addressed by this study commission, but I do not believe that that can be done without input from the Professions who's boards will be evaluated by this study.

If the final recommendations of this study commission are to be acceptable to the professions affected I think it is imperative that those professions be represented on the study commission. If not, this committee will likely face bitter opposition in 1987 when you try and implement any recommendations.

As a past opponent to board combining and as president of our association I have spent considerable time evaluating and looking for possible solutions to your problems and ours. Although I do not know if it is possible, I would like to be a member of this study commission and would look forward to working toward a positive solution to the existing problems on both sides.

Sincerely,

Clay Edwards, President  
MAPTA



# MONTANA CHAPTER

## OF THE

### AMERICAN PHYSICAL THERAPY ASSOCIATION

Clay Edwards, President  
502 S. Idaho St.  
Dillon, MT 59725  
683-2324 Business  
683-5790 Home

February 22, 1985

Senator Tom Hager  
State Capitol Building  
Helena, MT 59601

*Joint Senate Resolution # 37*

Dear Senator Hager:

I do appreciate you telling me about your intention to create a study commission concerning the Allied Health Professional Boards. As I indicated yesterday, we are not as opposed to a combined board system as it may appear. Our major concern stems from past experience when we were under the State Board of Medical Examiners. During that time there was never time to discuss and evaluate physical therapy issues competently. We also believe that physical therapists should be making the decisions from the board level that affect physical therapy. The public, as a whole, knows very little about physical therapy and having a board of non physical therapists without physical therapy input would not be acceptable to us.

Yesterday you mentioned a "Public Board". I did not know exactly what you meant and there was not time to discuss it further then. It is also my understanding that one of your major concerns is the financial ability of a board to undertake legal action or defense. I also know that there is concern on your part and other Senators for the proliferation of examining boards with the constant request for state licensure from many professions.

I do believe it is possible to address your concerns and our concerns along with all the other existing and proposed boards with a study commission. I mentioned to you about the possibility of an advisory committee for each profession under an Allied Health Professions Board. Another idea may be a reserve fund generated from each profession's licensing fees that is controlled by the Department of Health and Occupational Licensing that is usable only for legal action or defense. Other states do have workable combined boards and we may well be able to pattern one after an existing board in another state.

I have some other ideas that may or may not be workable. My major reason for writing this letter is to let you know we are not just opponents and do recognize your position and reasons for a combined board.

I do not know who is being considered for this study commission, but I do have some ideas and would be happy to be a member of that commission and work with you or anyone to find a reasonable solution to the existing problems.

Sincerely,

Clay Edwards, President  
Montana Chapter APTA

cc: Judy Jacobson

# STANDING COMMITTEE REPORT

APRIL 4, 1985

MR. PRESIDENT

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

having had under consideration **SENATE JOINT RESOLUTION** No. **37**

**FIRST** reading copy ( **WHITE** )  
color

**INTERIM STUDY OF HEALTH-RELATED OCCUPATIONAL LICENSING BOARDS**

**HAGER**

Respectfully report as follows: That **SENATE JOINT RESOLUTION** No. **37**

DO PASS

DO NOT PASS

**SENATOR JUDY JACOBSON**

Chairman.