

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

January 23, 1987

The meeting of the Senate Public Health, Welfare and Safety Committee was called to order by Chairman Dorothy Eck on January 23, 1987, at 1 P.M. in Room 410 of the State Capitol.

ROLL CALL: All members of the committee were present.

CONSIDERATION OF SENATE BILL NO. 126: SENATOR MIKE WALKER, District # 20, sponsor of the bill, introduced the reasons for this new concept in legislation: that a new industry is on the rise, arson; it is a difficult crime to prove in court, suspects are hard to find, laws are antiquated, and fire insurance is becoming more expensive. The bill sets up a network between the fire marshall and health facilities to track arson suspects. Because arsonists frequently burn themselves while setting fires, the bill will require that physicians report anyone suffering second or third degree burns over five percent or more of the body to the fire marshall. Physicians will have a fairly simple postcard to fill out. The program is working well in New York and several other states, and the insurance industry supports the bill.

Physicians have some reservations about the bill and will propose an amendment. Second degree burns will also involve children and the fire marshall will take advantage of the reporting of these burns to develop better educational programs for children.  
Exhibit # 1.

PROPONENTS: Ray E. Blehm, State Fire Marshall, stated that he supports this program for the following reasons: New York has found the program to be helpful, the department would have a new access to tracking arsonists, they could better determine the type of burn education programs needed, and they could keep better track of fire deaths. Many of these now go unreported because people are unaware that they need to report fire-related deaths.  
Exhibit #2.

Jerry Lindorf, Montana Medical Association, stated that doctors are willing to do the reports but would like to propose a small amendment. The bill currently asks for two reports, one to the fire marshall and one to the Justice Department. Since the fire marshall is a part of the Justice Department, he suggests that only one report is necessary.

Vern Erickson, Montana Fireman's Association, stated that he thinks the program will be beneficial.

Henry Lohr, Montana State Volunteer Firefighters association, stated that a better means of tracking information is needed to deter people who engage in arson practices.

OPPONENTS: James F. Ahrens, Montana Hospital Association, dislikes the bill because hospitals already have to report numerous injuries such as child abuse and gunshot wounds. Five percent burns are not large and most would be household, farm and industrial accidents. Hospitals may violate confidentiality statutes by reporting these burns, and this bill does not protect them from liability. He asked if all this presupposes criminal activity.

DISCUSSION OF SENATE BILL # 126: Sen. Rassmussen: Mr. Lindorf, what can you tell us about the confidentiality issue?

Ans: Confidentiality statements become an exception, thus providing immunity.

Sen. Himsl: Mr. Blehm, What is the evidence of the number of fires in which arson is blamed?

Ans: Montana has no data on this, as some other states do. We are trying to improve ways of tracking arsonists and getting convictions. Arsonists endanger both firefighters' and civilians' lives.

Sen. Eck: Do we have a standard amendment addressing the immunity issue?

Ans: Karen Renne: Yes, I've drafted several this session.

Sen Eck: Mr. Ahrens, would you be willing to meet with Karen Renne to draft an amendment.

Ans: Yes.

Sen. Walker: In closing, I feel that the reporting of gunshot wounds is not quite compatible with the intent of this bill. I would like to remind everyone of the two-prong thrust of this bill, of tracking arsonists and providing better statistics for fire prevention education.

CONSIDERATION OF SENATE BILL #105: SENATOR MATT HIMSL, District #3, bill sponsor, stated that the Medical Legal Panel was founded in 1977 to review malpractice claims. The panel consists of three doctors, three lawyers, with a chairman approved by the Chief Justice. Funding is handled through a trust fund created by an annual surcharge on all health care providers. This legislation will determine the reasonableness of the surcharge by an annual audit. It will make sure that assessments are based of the number of cases and are fair and that health care providers are comfortable with the assessment.

PROPOSERS:

Jerry Lindorf, Montana Medical Association, stated that the fund is now subject to audit, but that it may be done privately, and not by the legislative auditor. The bill establishes that the legislative auditor does the job and that the surcharges are fair. The Medical Association supports the bill. The criteria for auditing are not yet established and there is a question as to whether the panel is a state agency. So far there have been no problems or improprieties with reviews that have been done.

SENATE PUBLIC HEALTH, WELFARE  
AND SAFETY COMMITTEE  
JANUARY 23, 1987  
Page 3

James Ahrens, MT. Hospital Association, stated that the association supports the bill.

Sen. Jacobson: Is the Dental Association included and does this involve any name change?

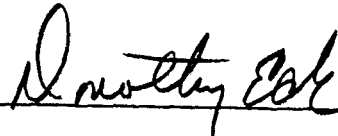
Ans: Mr. Lindorf: No to both questions.

Sen. Hims1: I have a narrative report of what has happened with the panel for anyone who has questions. Exhibit # 1.

DISPOSITION OF SENATE BILL NO. 105: Sen. Jacobson: I move a DO PASS on S.B. 105.

The DO PASS was unanimous.

The meeting adjourned at 2:45.

  
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CHAIRMAN

ROLL CALL

Public Health, Welfare and Safety COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date 1-23-87

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NAME	PRESENT	ABSENT	EXCUSED
Dorothy Eck	X		
Bill Norman	X		
Bob Williams	X		
Darryl Meyer	X		
Eleanor Vaughn	X		
Tom Rasmussen	X		
Judy Jacobson	X		
Harry H. "Doc" McLane	X		
Matt Himsl	X		
Tom Hager	X		

Each day attach to minutes.

DATE 1-23-87

COMMITTEE ON

## VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
Kelley (last)	Senate Page			
Henry E. Zehn	Mont. State Vol. Firefighter	SB 126	X	
Lyle A. Nagel	Mont. State Vol. Firefighter Assn	SB 126	X	
James F. Ahrens	M+ Hospital Assoc	SI		X
Michael Hunt	MSFA	SB 126	X	
Edward L. [unclear]	M.S.C.P.F.F.	SB 126	X	
Jan T. [unclear]	Mont. Medical [unclear]	SB 126 10105	X	
Ray Blehm	St Fire Marshal	SB 126	X	
Thompson	Mont State Fireman's Assn	SB 126	X	
Tom Bergstrom	" " "	SB 126	X	
Deborah A. Luggs	Student Nurse	SB 126	X	
Judy Saari	Student Nurse	SB 126	X	
John W. [unclear]	Leg. Analyst	SB 105	✓	
Hinda Haffey				
Jacquie Gilham		SB 126	✓	
Lucy [unclear]		SB 126	✓	
Bonnie [unclear]	MMA	SB 105	✓	
BRIAN EINS	Mont Med. Assn	SB 105 SB 105	✓	
James J. Nichol	Student	SB 126	✓	
Tracy Ball	"	SB 126	✓	
Glen Drake	American [unclear]	126	✓	
Shuly Rond				
SC [unclear]				

(Please leave prepared statement with Secretary)



SENATE HEALTH & WELFARE

EXHIBIT NO. 1

DATE 1-23-87

BILL NO. SB126

STATE OF NEW YORK  
DEPARTMENT OF STATE  
ALBANY, N.Y. 12231

GAIL S. SHAFFER  
SECRETARY OF STATE

September 5, 1985

TO: Physicians, Hospital Administrators, Emergency Room Heads,  
Medical Facility Directors

FROM: Francis A. McGarry, State Fire Administrator

SUBJECT: Compliance by physicians and medical facilities with §265.26 of  
the New York State Penal Law regarding the reporting of burn  
injuries.

Chapter 201 of the Laws of 1985 establishes a requirement for the reporting of certain burn injuries to the New York State Office of Fire Prevention and Control.

This legislation, effective November 1, 1985, adds a new section 265.26 of the Penal Law as follows:

*§265.26 Burn injury and wounds to be reported.*

*Every case of a burn injury or wound, where the victim sustained second or third degree burns to five percent or more of the body and/or any burns to the upper respiratory tract or laryngeal edema due to the inhalation of super-heated air, and every case of a burn injury or wound which is likely to or may result in death, shall be reported at once to the Office of Fire Prevention and Control. The State Fire Administrator shall accept the report and notify the proper investigatory agency. A written report shall also be provided to the Office of Fire Prevention and Control within 72 hours. The report shall be made by (a) the physician attending or treating the case, or (b) the manager, superintendent or other person in charge whenever such case is treated in a hospital sanitarium or other medical facility.*

*The intentional failure to make such report is a class A misdemeanor.*

This statute was enacted in an effort to combat arson through the rapid identification and apprehension of suspected arsonists who may suffer burn injuries during the commission of their crimes. The statute will also provide a burn injury data base from which effective burn prevention and fire safety education programs may be developed.

The statute is explicit in requiring immediate reports of burn injuries and written reports within 72 hours. To facilitate the reporting of burn injuries, the Office of Fire Prevention and Control has a toll-free telephone, 1-800-345-5811, answered 24 hours a day and is providing postage-paid burn injury report forms. Enclosed are report form(s) and informational materials on burn injury reporting.

The procedures for reporting burn injuries are as follows:

1. Immediately call the New York State Office of Fire Prevention and Control's 24-hours hotline at:

1-800-345-5811

2. Tell the operator you are reporting a burn injury and give the operator the following information.

- A. Victim's name, address and date of birth
- B. Address where burn injury occurred
- C. Date and time of burn injury
- D. Degree of burns and percent of body burned
- E. Area(s) of body injured
- F. Injury severity
- G. Apparent cause of burn injury
- H. Name and address of reporting facility
- I. Attending physician

3. Complete the Burn Injury Report Form within 72 hours and submit it to:

Burn Injury Reporting System  
New York State Department of State  
Office of Fire Prevention and Control  
162 Washington Avenue  
Albany, NY 12231

Participation in the burn injury reporting system by yourself and/or your staff will ensure compliance with the law and aid in documenting burn injuries and the reduction of arson incidence in the State of New York.

Thank you for your cooperation in this matter. For additional report forms, information or questions, please contact:

New York State Department of State  
Office of Fire Prevention and Control  
162 Washington Avenue  
Albany, NY 12231  
(518) 464-6746

FAM:ed

Enclosures

NEW YORK STATE DEPARTMENT OF STATE OFFICE OF FIRE PREVENTION AND CONTROL

**Burn Injury Report** (File within 72 hours)

Print or Type

EXHIBIT # FOR OFFICE USE ONLY

DATE 1-23-87

CONTROL # 87

DATE OF BIRTH 1-1-66

1) VICTIM'S NAME (Last, First, M.I.)		1a) SEX <input checked="" type="checkbox"/> MALE <input type="checkbox"/> FEMALE	2) DATE OF BIRTH
3) VICTIM'S ADDRESS (Number, Street)			
CITY, TOWN, POST OFFICE			STATE ZIP CODE
4) ADDRESS WHERE BURN OCCURRED (Number, Street)			
CITY, TOWN, POST OFFICE		COUNTY	STATE ZIP CODE
5) DATE OF INJURY	6) TIME OF INJURY HRS.	7) PERCENT BURNED %	8) DEGREE(S) OF BURN(S) <input type="checkbox"/> 1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd
9) AREA(S) OF BODY INJURED 1 <input type="checkbox"/> FACE, HEAD 2 <input type="checkbox"/> NECK, SHOULDER 3 <input type="checkbox"/> CHEST, ABDOMEN 4 <input type="checkbox"/> BACK, BUTTOCKS 5 <input type="checkbox"/> GROIN, GENITALS		10) INJURY SEVERITY (Place appropriate number in box) 1 MODERATE (treated and released) 2 SERIOUS (hospitalized) 3 LIFE THREATENING (death is imminent and/or probable) 4 DEAD ON ARRIVAL	
11) APPARENT CAUSE OF BURN INJURY (Place appropriate number in box) 1 CHEMICAL — Contact or exposure to reactive, caustic, corrosive or irritating substance 2 CONTACT W/ HOT OBJECT — Woodstove, stovepipe, furnace, iron, steampipe, exhaust pipe, etc. 3 COOKING — Stove, oven, hotplate, barbecue, hot grease 4 ELECTRICAL — Electrocutation, electrical equipment and flashburns 5 EXPLOSIVE — Gun powder, TNT, dynamite 6 FIREWORKS — Sparklers, firecrackers, rockets, smoke bombs, etc. 7 FLAMMABLE LIQUIDS — Ignition of flammable/combustible liquids such as gasoline, kerosene, diesel fuel, jet fuel, lighter fluid, etc. 8 GAS/VAPOR EXPLOSION — Ignition of flammable gases or the explosion of flammable liquid vapors 9 HOT LIQUID — Hot water, coffee, tea, hot food, hot tar, melted plastic, etc. 10 OTHER OPEN FLAME — Welding, matches, lighter, torch, etc. 11 OUTSIDE FIRES — Grass and brush, forest, bonfires, dump, trash and refuse fires, etc. 12 RADIATION — Burns caused by contact or exposure to any radioactive materials 13 STEAM — Caused by escaping steam from radiators, boilers, pipes, etc. 14 STRUCTURE FIRE — Any uncontained burning within a structure, including smoking accidents, trash fires, etc. 15 SUNBURN — Exposure to ultraviolet light, including sun lamps 16 VEHICLE FIRE — Car, truck, plane, boat, tractor, lawnmower, etc., carburetor and engine fires, etc.			
12) REPORTING FACILITY			13) P.F.I.#
14) ADDRESS OF REPORTING FACILITY (Number, Street)			
CITY, TOWN, POST OFFICE			STATE ZIP CODE
15) NAME OF ATTENDING PHYSICIAN (Last, First, M.I.)			
16) PERSON FILLING OUT REPORT (Signature) X			17) DATE OF REPORT

362703-001 (8/85)

Authority: Section 265 of NYS Penal Law

# Burn Injury Reporting



New York State Burn Injury Reporting System (NY-BIRS)

EXHIBIT #  
DATE 1-23-87  
BILL NO. SB 126



SENATE BILL #105

Senator Hims1  
Page 2

The fund is created by an annual surcharge levied on all health care providers; the assessment is set by the director and must be apportioned among physicians, hospitals and health care providers by group; The assessment must be proportionate to the respective percentage of total health care providers brought before the panel that each group constitutes.

Any surplus funds over and above administrative costs shall be retained by the director and carried forward to reduce subsequent assessments.

The present law allows for an audit but this legislation proposes that the audit determine the adequacy, sufficiency and reasonableness of the surcharge or assessment.

A copy of the audit must be presented to the supreme court and the cost of the audit to be paid by the panel. The first audit to be conducted for the two fiscal years ending June 30, 1987.

STATE  
OF  
MONTANA

DEPARTMENT OF JUSTICE  
FIRE MARSHAL BUREAU

SENATE HEALTH & WELFARE

EXHIBIT NO. 2

DATE 1-23-87

Room 371, Scott Hart Building, 303 North Roberts, Helena, Montana 59620 (406) 444-2050

BILL NO. SB 126

TO: Fritz O. Behr - Administrator  
Law Enforcement Services Division  
FROM: Ray E. Blehm, Jr. - Chief  
Fire Marshal Bureau  
DATE: December 4, 1986  
RE: Proposed Legislation

At the Bureau staff meeting of December 2 and 3rd, 1986, we discussed the new burn reporting legislation in effect in New York State. All of the staff agreed that such legislation would be of value for us in Montana.

the New York legislation requires a report of any burn which is in excess of five per cent of total body area immediately by phone with a written form forwarded within 72 hours by mail.

Because of cost and staffing requirement, it was agreed that we would only use the mail notification portion of the New York concept and that no budget adjustment would be required.

This legislation would benefit us in two ways. The statistical profile would help us in developing burn prevention programs and would give us data to help spot suspects in arson fires, as often times an arsonist will get burned to some degree in the setting of a fire. Currently, to obtain this information from doctors or hospitals, a subpoena is required.

As per our discussion, I am this day going to contact Kimberly A. Kradolfer, Assistant Attorney General, to discuss this proposal. Thank you for your assistance in this matter.

For your information, I have attached copies of the material we have received from the New York State office of Fire Prevention and Control.

REB:alv

(Please Post)

# REPORT ALL BURNS IMMEDIATELY!

It's the law!\*

EXHIBIT 2  
DATE 1-23-82  
BILL NO. 88126  
FIRE PREVENTION AND CONTROL

REPORT ALL BURN INJURIES IMMEDIATELY: 1-800-345-5811

NYS DEPARTMENT OF STATE OFFICE OF FIRE PREVENTION AND CONTROL

## Burn Injury Report (File within 72 hours)

Print or Type

FOR OFPC USE ONLY

CONTROL #

1) VICTIM'S NAME (Last, First, M.I.)		2) DATE OF BIRTH	
3) VICTIM'S ADDRESS (Number, Street)			
CITY, TOWN, POST OFFICE		STATE	ZIP CODE
4) ADDRESS WHERE BURN OCCURRED (Number, Street)			
CITY, TOWN, POST OFFICE		STATE	ZIP CODE
5) CAUSE OF INJURY	6) TIME OF INJURY HRS.	7) PERCENT BURNED %	8) DEGREE(S) OF BURN(S) <input type="checkbox"/> 1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd
<input type="checkbox"/> LEG <input type="checkbox"/> FOOT <input type="checkbox"/> ARM <input type="checkbox"/> HAND <input type="checkbox"/> INTERNAL		10) INJURY SEVERITY (Place appropriate number in box) 1 MODERATE (treated and released) 2 SERIOUS (hospitalized) 3 LIFE THREATENING (death is imminent and/or probable) 4 DEAD ON ARRIVAL	

Call the NYS Office of Fire Prevention and Control  
24-hour toll-free hotline:  
1-800-345-5811

- 2nd and 3rd degree burns 5 PERCENT OR MORE S.B.A.
- Burns to the UPPER RESPIRATORY TRACT
- LARYNGEAL EDEMA due to inhalation of super-heated air
- Any burn which may result in death

\*Section 265.26 of the New York State Penal Law

REPORT ALL BURN INJURIES IMMEDIATELY: 1-800-345-5811

NYS DEPARTMENT OF STATE OFFICE OF FIRE PREVENTION AND CONTROL

**Burn Injury Report** (File within 72 hours)

Print or Type

FOR OFPC USE ONLY

1) VICTIM'S NAME (Last, First, M.I.)		1a) SEX <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE	2) DATE OF BIRTH	
3) VICTIM'S ADDRESS (Number, Street)				
CITY, TOWN, POST OFFICE			STATE	ZIP CODE
4) ADDRESS WHERE BURN OCCURRED (Number, Street)				
CITY, TOWN, POST OFFICE		COUNTY	STATE	ZIP CODE
5) DATE OF INJURY	6) TIME OF INJURY HRS.	7) PERCENT BURNED %	8) DEGREE(S) OF BURN(S) <input type="checkbox"/> 1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd	
9) AREA(S) OF BODY INJURED 1 <input type="checkbox"/> FACE, HEAD 2 <input type="checkbox"/> NECK, SHOULDER 3 <input type="checkbox"/> CHEST, ABDOMEN 4 <input type="checkbox"/> BACK, BUTTOCKS 5 <input type="checkbox"/> GROIN, GENITALS		10) INJURY SEVERITY (Place appropriate number in box) 1 MODERATE (treated and released) 2 SERIOUS (hospitalized) 3 LIFE THREATENING (death is imminent and/or probable) 4 DEAD ON ARRIVAL		
11) APPARENT CAUSE OF BURN INJURY (Place appropriate number in box) 1 CHEMICAL — Contact or exposure to reactive, caustic, corrosive or irritating substance 2 CONTACT W/ HOT OBJECT — Woodstove, stovepipe, furnace, iron, steampipe, exhaust pipe, etc. 3 COOKING — Stove, oven, hotplate, barbecue, hot grease 4 ELECTRICAL — Electrocutation, electrical equipment and flashburns 5 EXPLOSIVE — Gun powder, TNT, dynamite 6 FIREWORKS — Sparklers, firecrackers, rockets, smoke bombs, etc. 7 FLAMMABLE LIQUIDS — Ignition of flammable/combustible liquids such as gasoline, kerosene, diesel fuel, jet fuel, lighter fluid, etc. 8 GAS/VAPOR EXPLOSION — Ignition of flammable gases or the explosion of flammable liquid vapors 9 HOT LIQUID — Hot water, coffee, tea, hot food, hot tar, melted plastic, etc. 10 OTHER OPEN FLAME — Welding, matches, lighter, torch, etc. 11 OUTSIDE FIRES — Grass and brush, forest, bonfires, dump, trash and refuse fires, etc. 12 RADIATION — Burns caused by contact or exposure to any radioactive materials 13 STEAM — Caused by escaping steam from radiators, boilers, pipes, etc. 14 STRUCTURE FIRE — Any uncontained burning within a structure, including smoking accidents, trash fires, etc. 15 SUNBURN — Exposure to ultraviolet light, including sun lamps 16 VEHICLE FIRE — Car, truck, plane, boat, tractor, lawnmower, etc., carburetor and engine fires, etc.				
12) REPORTING FACILITY				
14) ADDRESS OF REPORTING FACILITY (Number, Street)				
CITY, TOWN, POST OFFICE			STATE	ZIP CODE
15) NAME OF ATTENDING PHYSICIAN (Last, First, M.I.)				
16) PERSON FILLING OUT REPORT (Signature) X			17) DATE OF REPORT	

*Tom, send to Behm + leave*

SENATE HEALTH & WELFARE

EXHIBIT NO. 1  
DATE                       
BILL NO. SB126

RECEIVED

November 1, 1986, marked the first anniversary of New York State's Burn Injury Reporting System (NY-BIRS). Since its inception, over 5,300 burn injuries were reported to the Department of State's Office of Fire Prevention and Control (OFPC).

The main purpose of NY-BIRS is to combat arson through speedier identification and apprehension of suspected arsonists, many of whom suffer burns in the course of their crime. To date, at least eight arson arrests were directly attributed to NY-BIRS; and five assault and child abuse arrests. Figure 1 shows the number of burns reported by month since NY-BIRS was implemented.

NY-BIRS groups all causes of burns into 16 categories. Analysis of burn injury data revealed a remarkable consistency in the causes of injuries in each of the 12 months. The top four were hot liquids, cooking, contact burns and structure fires.

The leading cause category was hot liquids, with approximately 33 percent. The most affected age group for these burns were 1- and 2-year olds; accounting for nearly 30 percent of the injuries. When ages 0 to 9 years were grouped together for this category, approximately 50 percent of the burn injuries were accounted for. A large amount occurred either between 1200 to 1300 hours (noon to 1:00pm) or 1800 to 1900 hours (6:00pm to 7:00pm).

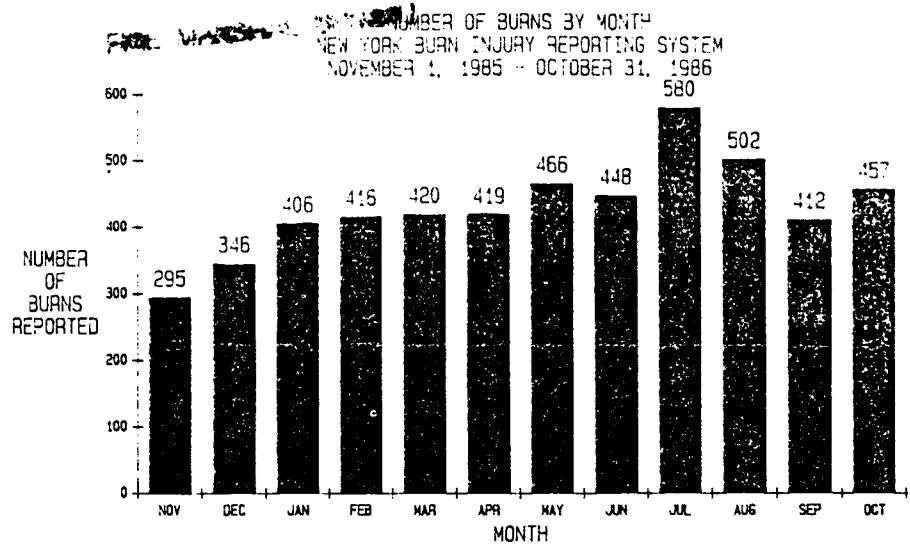


FIGURE 1

The combined total of all fire and flame-related categories (flammable liquids, gas/vapor explosion, other open flame, outside fires, structure fires and vehicle fires) made up the second leading cause injuries. The age group most affected by the fire/flame category was the 20-29 year olds, accounting for nearly 30 percent of the injuries in this cause group.

To facilitate burn reporting, OFPC has set up a toll-free number (1-800-345-5811) that is manned 24-hours a day, 7-days a week. When a call is received by an operator, the required information is immediately logged in. The county where the burn injury occurred is then notified.

This is usually done through the county fire control center, but in some areas it may be the sheriff's department or the fire marshal's office. The control center relays the information to the appropriate investigatory agency.

Within 72-hours of providing treatment, physicians and/or health care facilities are required to submit a burn injury report form (BIRF) to OFPC. When the BIRF is received, it is reviewed for completeness, matched up with the telephone report and issued a control number.

Public fire/arson investigators can make inquiries on burn injuries, such as burn injuries in a county or surrounding counties or in a particular period of time.

# marks anniversary

November/December 1986 FIRE  
 EARTH  
 DATE: 1-23-87  
 BILL NO. SB126

REPORT ALL BURN INJURIES IMMEDIATELY 1-800-345-5811 SERIAL NUMBER 03701

NYS DEPARTMENT OF STATE OFFICE OF FIRE PREVENTION AND CONTROL  
**Burn Injury Report (File within 72 hours)**  
 Print or Type

1. VICTIM'S NAME (Last, First, MI)		2. SEX	MALE FEMALE	3. DATE OF BIRTH
4. VICTIM'S ADDRESS (Number, Street)				
CITY/TOWN POST OFFICE		STATE	ZIP CODE	4. VICTIM TELEPHONE NUMBER
5. ADDRESS WHERE BURN OCCURRED (Number, Street)				
CITY/TOWN POST OFFICE		COUNTY	STATE	ZIP CODE
6. DATE OF INJURY	7. TIME OF INJURY	HRS	8. PERCENT BURNED	%
			9. DEGREE(S) OF BURN(S) <input type="checkbox"/> 1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd <input type="checkbox"/> Inhalation <input type="checkbox"/> Burn	
10. AREA(S) OF BODY INJURED			11. INJURY SEVERITY (Place appropriate number in box)	
1. FACE HEAD	8. LEG	1. MODERATE (treated and released)		
2. NECK SHOULDER	7. FOOT	2. SERIOUS (hospitalized)		
3. CHEST ABDOMEN	6. ARM	3. LIFE THREATENING (death is imminent and/or probable)		
4. BACK BUTTOCKS	5. HAND	4. DEAD ON ARRIVAL		
9. GROIN GENITALS	10. INTERNAL (including trachea and larynx)			
12. APPARENT CAUSE OF BURN INJURY (Place appropriate number in box)				
1. CHEMICAL - Contact of exposure to reactive, caustic, corrosive or irritating substance				
2. CONTACT WITH HOT OBJECT - Woodstove, stovepipe, furnace, iron, steampipe, exhaust pipe, etc.				
3. COOKING - Slow oven, portable barbecue, hot grease				
4. ELECTRICAL - Electrocution, electrical equipment and flashburns				
5. EXPLOSIVE - Gun powder, TNT, dynamite				
6. FIREWORKS - Sparklers, firecrackers, rockets, smoke bombs, etc.				
7. FLAMMABLE LIQUIDS - Ignition of flammable/composite liquids such as gasoline, kerosene, diesel fuel, jet fuel, lighter fluid, etc.				
8. GAS, VAPOR EXPLOSION - Ignition of flammable gases or the explosion of flammable liquid vapors				
9. HOT LIQUID - hot water, coffee, tea, hot food, hot tar, melted plastic, etc.				
10. OTHER OPEN FLAME - Waxing, matches, lighter, torch, etc.				
11. CUTTING FIRES - Grass and brush, forest, dunes, dump, trash and refuse fires, etc.				
12. RADIATION - Burns caused by contact of exposure to any radioactive materials				
13. STEAM - Caused by escaping steam from radiators, boilers, pipes, etc.				
14. STRUCTURE FIRE - Any uncontained burning within a structure, including smoking accidents, trash fires, etc.				
15. SUNBURN - Exposure to ultraviolet light, including sun lamps				
16. VEHICLE FIRE - Car, truck, plane, boat, tractor, lawnmower, etc., carburetor and engine fires, etc.				
13. REPORTING FACILITY				
14. ADDRESS OF REPORTING FACILITY (Number, Street)				
CITY/TOWN POST OFFICE		STATE	ZIP CODE	
15. NAME OF ATTENDING PHYSICIAN (Last, First, MI)			17. DATE OF REPORT	
16. PERSON FILLING OUT REPORT (Signature)				
<input checked="" type="checkbox"/> OFFICE OF FIRE PREVENTION AND CONTROL USE ONLY <input type="checkbox"/> CHECK HERE IF THIS INJURY HAS RECEIVED PRIOR TREATMENT (transfer patient)				
			Facility I.D.	

Authority: Section 265.28 NYS Penal Law

FIGURE 2

Investigators are urged to utilize NY-BIRS to develop leads.

Inquiries can be made 24-hours a day by telephoning (518) 474-6746. For indepth or extended searches, however, it is recommended that calls be made Monday through Friday, 8:00am to 5:00pm.

Chapter 201 of the Laws of 1985 requires the reporting of burn injuries to OFPC. A new section of New York's Penal Law (Section 265.26) was added requiring, "every case of a burn injury or wound, where the victim sustained second or third degree burns to five percent or more of the body and/or any burns to the upper respiratory tract or laryngeal edema due to the inhalation of super-heated

air; and every case of a burn injury or wound which is likely to or may result in death, shall be reported at once to the Office of Fire Prevention and Control. The State Fire Administrator shall accept the report and notify the proper investigatory agency. A written report shall also be provided to the Office of Fire Prevention and Control within 72 hours (see Figure 2). The report shall be made by (a) the physician attending or treating the case; or (b) the manager, superintendent or other person in charge, whenever such case is treated in a hospital, sanitarium, institution or other medical facility."

The law also authorized and empowered fire and/or

police investigatory units to investigate any case of a burn injury or wound sustained as reported pursuant to Section 265.26 of the Penal Law. Intentional failure to submit a report is a Class A misdemeanor.

The law was endorsed by Secretary of State Gail S. Shaffer, State Fire Administrator Francis A. McGarry and the New York State Arson Board. It was brought about through the actions of the New York City Fire Department's Bureau of Fire Investigation and the Northwest Bronx Community and Clergy Coalition.

From NY-BIRS, analysis of data, such as the above, can be used to develop meaningful burn prevention groups. We in the fire service have a long way to go to reduce the staggering number of burn injuries in New York State. Alone, this would be almost an impossible task but with the help of the medical community, educators and community groups we can reduce burn injuries.

For further information on NY-BIRS, contact the Office of Fire Prevention and Control's Arson Technical Assistance Unit at (518) 484-6746.

SUBMITTED BY:  
 Richard P. Rogozinski  
 Field Representative I  
 (Arson)

NY STATE DEPARTMENT OF STATE  
**OFFICE OF FIRE PREVENTION**  
 BURN INJURY REPORTING SYSTEM

SENATE HEALTH & WELFARE  
 EXHIBIT NO. 1  
 AND CONTROL  
 DATE 123-87  
 BILL NO. 3B/22

\*\*\* SUMMARY STATISTICS \*\*\*

Apr 21, 1984

SEVERITY

MINOR	1006	50.7 %
MODERATE	838	42.2 %
LIFE THREAT	59	3.0 %
D.O.A.	49	2.5 %
NOT REPORTED	32	1.6 %
-----		
TOTAL	1984	100.0 %

CAUSE

CHEMICAL	61	3.1 %
CONTACT HOT OBJECT	187	9.4 %
COOKING	230	11.6 %
ELECTRICAL	67	3.4 %
EXPLOSIVE	9	.5 %
FIREWORKS	5	.3 %
FLAMMABLE LIQUIDS	112	5.6 %
GAS/VAPOR EXPLOSION	86	4.3 %
HOT LIQUID	784	39.5 %
OTHER OPEN FLAME	69	3.5 %
OUTSIDE FIRES	19	1.0 %
RADIATION	7	.4 %
STEAM	64	3.2 %
STRUCTURE FIRE	213	10.7 %
SUNBURN	5	.3 %
VEHICLE FIRE	29	1.5 %
NOT REPORTED	37	1.9 %
-----		
TOTAL	1984	100.0 %

TIME

00:00-00:59	8	.4 %
01:00-01:59	38	1.9 %
02:00-02:59	48	2.4 %
03:00-03:59	29	1.5 %
04:00-04:59	34	1.7 %
05:00-05:59	32	1.6 %
06:00-06:59	52	2.6 %
07:00-07:59	48	2.4 %
08:00-08:59	75	3.8 %
09:00-09:59	97	4.9 %
10:00-10:59	130	6.6 %
11:00-11:59	110	5.5 %
12:00-12:59	102	5.1 %
13:00-13:59	88	4.4 %
14:00-14:59	79	4.0 %
15:00-15:59	92	4.6 %
16:00-16:59	94	4.7 %
17:00-17:59	95	4.8 %
18:00-18:59	108	5.4 %
19:00-19:59	115	5.8 %
20:00-20:59	97	4.9 %
21:00-21:59	79	4.0 %
22:00-22:59	46	2.3 %
23:00-23:59	60	3.0 %
NOT REPORTED	228	11.5 %
-----		
TOTAL	1984	100.0 %

PERCENT BURNED

LESS THAN 5%	504	25.4 %
5% TO 9%	654	33.0 %
10% TO 14%	271	13.7 %
15% TO 19%	139	7.0 %
20% TO 29%	115	5.8 %
30% TO 49%	65	3.3 %
50% OR MORE	100	5.0 %
NOT REPORTED	136	6.9 %
-----		
TOTAL	1984	100.0 %

INHALATION INJURIES

130 6.6 %

TOTAL RECORDS SELECTED: 1984

SENATE BILL #105

Senator Himsl

## AUDIT MEDICAL PANEL

Montana Medical Panel was established in 19~~83~~<sup>77</sup> for the purpose of reviewing all malpractice claims or claims against health care providers; the panel is attached to the Supreme Court for administrative purpose only.

A director is appointed ~~by~~ the Executive Director of the Montana Medical Association, with approval of the Chief Justice, and his salary and tenure is set by the Executive Director, again subject to approval by the Chief Justice.

The six-member panel composed of health care providers licensed in Montana sit in review of each case; 3 panel members are physicians, 3 are attorneys -- if the claim is against physicians. If the claim is against health care facilities, two of the panel must be administrators of the same type facility, one member a physician and 3 attorneys.

Panel members are selected from nominees by the professional organizations; they are paid \$40 per hour plus expenses.

Funding is by trust with no money reverting to the general fund; the fund shall be open to audit by the legislative auditor.



# STANDING COMMITTEE REPORT

JANUARY 23

1967

MR. PRESIDENT

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

having had under consideration..... **SENATE BILL**..... No. **105**.....

~~FIRST~~ reading copy ( ~~WHITE~~ )  
color

## LEGISLATIVE AUDITS OF MONTANA MEDICAL LEGAL PANEL

Respectfully report as follows: That..... **SENATE BILL**..... No. **105**.....

DO PASS

~~DO NOT PASS~~

.....  
Dorothy Eck

Chairman.