

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

March 20, 1987

The meeting of the Senate Public Health, Welfare and Safety Committee was called to order by Chairman Dorothy Eck on March 20, 1987, in Room 410 of the State Capitol.

ROLL CALL: All members of the committee were present.

ACTION ON HOUSE BILL NO. 637: Sen. Hims1 moved that H.B. 637 BE CONCURRED IN. Sen. Vaughn: My constituents are very concerned about getting into the constitution again.

Karen Renne: Welfare benefits are a benefit and not a right; and the state has to show a compelling interest to deny the benefit. SRS is trying to submit different approaches that the Court will accept.

Sen. Williams: Costs have escalated drastically since 1972 in welfare. No one has decided on how to control costs.

Karen Renne: There have been no attempts to limit welfare until 1985.

Sen. Meyer called for the question; the vote was 6-4 that H.B. 637 BE CONCURRED IN. Senators voting yes were Williams, Meyer, Rassmussen, McLane, Hims1, and Hager. Senators voting no were Eck, Norman, Vaughn, and Jacobson. Sen. Williams will carry the bill.

RECONSIDERATION OF HOUSE BILL NO. 364: Sen. Jacobson moved to reconsider committee action on H.B. 364, because she thought that one of the sets of amendments was workable, but it could create real difficulties for the merged board. The amendment pertained to the voting of board members on matters relating to denturity and matters relating to dentistry. Most of the time it will be difficult to separate issues that only dentists or denturists deal with, so that amendment could create unnecessary problems for the board.

Sen. Williams: Would Tom Ryan like to speak on this issue?

Tom Ryan, MSS: We liked the amendment as it originally passed the committee, having the amended board.

Sen. Jacobson: I would like to move that the amendment on conduct of business be stricken. A roll call vote was taken with five senators voting for and five against. Those voting for the motion were Eck, Vaughn, Rassmussen, Jacobson, and McLane; those voting against were Norman, Williams, Meyer, Hims1, and Hager.

Sen. Hims1: Paragraph Two on the last page of the bill contains an unusual statement.

Roger Tippy: Subsection Two is unconditional guarantee drafted in the initiative.

Sen. Jacobson: The Auditor's office missed some of the statutes when they drafted the bill, so these amendments make the bill conform with the state law.

Sen. Rassmussen: How does this new amendment differ from the old one?

Sen. Jacobson: What the new amendment does is to say that dentists can't vote on matters of licensing or revoking licenses of denturists and vice versa. But on all other matters they will vote as a full board.

Sen. Rassmussen: How will the dentist be selected for denturity matters?

Sen. Jacobson: The full board will select the dentist to vote on denturity licensing.

Sen. Himsl: I would like to remove that part of the amendment on the 90-day section.

Karen Renne: That changes the purpose of the bill and can be challenged by law. The title of the bill has been changed to include the termination and repeal dates. Subsection 2 has to be included because it is in there for the purpose of merging the two boards according to the 1985 law.

Sen. Eck: Is it your intent not to amend the bill at all?

Sen. Jacobson: This bill was not drafted to take into consideration some of the specifics of the 1985 law that was passed; if these amendments are not on the bill, it will be illegal. The Board of Denturity will be better off under the Board of Dentistry because the state's audit showed so many problems over the past two years with the Board of Denturity. The merged boards will offer better protection to the public.

Sen. Jacobson moved that the technical amendments receive a DO PASS to make the bill technically correct. Sen. Hager seconded and the motion received a unanimous DO PASS.

Sen. Jacobson moved that H.B. 364 BE CONCURRED IN AS AMENDED. A roll call vote was taken, and H.B. 364 received a 6-4 do pass. Senators voting yes included Eck, Williams, Vaughn, Jacobson, McLane, and Hager. Senators voting no were Norman, Meyer, Rassmussen, and Himsl. Sen. Jacobson will carry the bill.

CONSIDERATION OF HOUSE BILL NO. 614: Rep. Ron Miller, District # 34, sponsor of H.B. 614, testified that the purpose of the bill is to reduce unnecessary written reports that SRS must present to the Developmentally Disabled planning council at their bi-monthly meetings. The DD planning council does not need a written report that often, because a representative of SRS is always there to answer questions.

Sen. Meyer: Is there a law that they must bring a written report now?

Sen. Jacobson: Yes.

ACTION ON H.B. 614: Sen. Jacobson moved that H.B. 614 BE CONCURRED IN. The vote in favor was unanimous.

CONSIDERATION OF HOUSE BILL NO. 462: Rep. Joan Miles, District # 45, sponsor of the bill, stated that its purpose is to clarify the eligibility and the scope of services for severely disabled persons and to substitute provisional licensing for probationary licensing of community homes for severely disabled persons. Not all provisions of a similar piece of legislation passed in 1985 were in compliance with the Federal regulations, plus the use of severely disabled complies with the federal language. Sections 2-5 deal with further definitions of severely disabled persons who now often "fall through the cracks" in terms of receiving necessary services. Sections 7 and 8 deal with the licensing of new group homes for the severely disabled.

and give SRS rule-making authority to adopt any rules necessary for the provision of services and the running of the group homes.

PROPOSERS: Maggie Bullock, SRS, stated that she administers these laws for the state of Montana and that the bill will put Montana law into conformity with the Federal law. She also presented an amendment that a person who has a primary diagnosis of mental illness not be eligible for placement in residential services under this act unless he is eligible for services Title VII of the Federal Rehabilitation Act of 1973. See attached Standing Committee Report.

Jim Smith, Montana Association for Rehabilitation, stated that he works with individuals affected by this legislation, and he supports the bill and the amendment.

Nick Rotering, Dept. of Institutions, supports the bill as amended because it prevents legal confusion in licensing.

DISCUSSION OF H.B. 462: Sen. Hager: What is the difference between a provisional license and an probationary license?

Maggie Bullock: None, really. This is language change to conform with SRS and other departments' licensing language.

CONSIDERATION OF HOUSE BILL NO. 455: Rep. Joan Miles, District # 45, sponsor of the bill, stated that the purpose of the bill is to establish the rights of residents of long-term care facilities, especially since they are generally isolated from the rest of society and lack the means to assert their rights. The bill adopts by reference the Federal bill of rights, which applies to Medicare-Medicaid facilities. It includes language explaining the federal bill of rights, and it applies to all long-term care facilities and personal care homes. The bill will be easier for Montana facilities to refer to than to federal regulations. The bill also includes an emphasis on education for patients, family and staff and stipulations for posting of the bill of rights in facilities.

Charles Briggs, Governor's Council on Aging, stated that the bill was a priority for the Legacy Legislature and urges the committee's support.

Doug Blakley, State Long-term Care Ombudsman, stated that the bill clarifies the federal law, updates Montana's statutes, looks at issues in the state's facilities, and makes sure that all such residents are protected, especially those not yet covered by the federal law. The bill specifically lists the rights of long-term care residents and requires that these rights be posted in every facility for patients, families, and staff. The bill also carries enforcement provisions. Exhibit # 1.

Joe Upshaw, AARP, stated that this bill of rights protects the older citizens of Montana. Exhibit # 2.

Elmer Hausken, AARP, urges support for the bill to protect aging people. Exhibit # 3.

Helen McKnight, Montana Senior Citizens, urges support of H.B. 455 to protect Montana's aging citizens. Exhibit # 4.

Barbara Booher, Montana Nurses Association, advocates the rights of patients and urges support of H.B. 455.

DISCUSSION OF H.B. 455: Sen. Himsl: Are there any people here from nursing homes to testify?

SUE Winegarten: I am the new representative for that organization.

Sen. Eck: In the past there has been a lot of opposition to this type of bill, and the groups have all come together over the last two years to work this out.

Rep. Miles closed by thanking the committee for the hearing.

ACTION ON H.B. 455: Sen. Hager moved that H.B. 455 BE CONCURRED IN. The vote in favor was unanimous. Sen. Eck will carry the bill.

CONSIDERATION OF HOUSE BILL NO. 647: Rep. Tom Bulger, District # 37, sponsor of H.B. 647, stated that the bill lifts the requirement that doctors of patients in out-patient mental health facilities do a weekly medication review, but shifts that to a monthly review. The bill also states that patients should be free of excessive medication and should not be given medication for the convenience of the staff. Doctors cannot keep up with weekly charts now, and he urged passage of the bill.

Kelly Morse, Montana Mental Health Association, testified that they had worked on this bill and were in support of it.

DISCUSSION OF H.B. 647: Sen. Himsl: People often quit taking their medication after they get to feeling better?

Rep. Bulger: The state does not really have the means to compel an out-patient to come back weekly, so this bill doesn't really apply to the patient. It just means that the doctor does not have to do a weekly review, but he will do a monthly review.

ACTION ON H.B. 647: Sen. Meyer moved that H.B. 647 BE CONCURRED IN. The vote in favor was unanimous. Sen. Meyer will carry the bill.

CONSIDERATION OF HOUSE BILL NO. 316: Rep. Kelly Addy, District # 94, sponsor of H.B. 316, stated that the purpose of the bill is to provide for involuntary commitment and treatment in the local community of persons who are mentally ill. Page three of the bill specifically describes the segment of the population targeted by this bill, and it is hoped that this segment of the population can be significantly helped before they become seriously ill. The criteria on this page must be met before a person would be considered for involuntary commitment. Pages 7 and 8 of the bill list the safeguards for a patient to ensure against unnecessary commitment. The bill is a compromise resulting from five sessions of work, and a delicate balance has been reached which protects the rights of an individual and the rights of society.

PROPOSERS OF H.B. 316: Steve Waldron, Montana Mental Health Association, described the kinds of people the bill is intended to help and the safeguards that the bill carries for the patient. Several groups have spent over four years achieving the balance of this bill and he urges passage of it.  
Exhibit # 5.

James L. Schwind, Helena, testified that mentally ill people do not get due process when they are arrested for their actions caused by illness and given criminal charges. This bill allows for diversity in treatment for a mentally ill person and protects their rights, as well.

Nancy Adams, Mental Health, worked with the committee on the bill and feels that it is a much-needed and long-overdue law.

Dr. Don Harr, Billings psychiatrist, stated the need for this bill is evident to those working in the field. Many people don't function because of a mental disorder, but they are not seriously ill enough to be incarcerated for a long period of time. Many also don't get care because they are not aware that it exists. This bill offers short-term care and treatment for these people, which is often enough for them to get stabilized again and to understand that they can be stabilized. When these people are not treated and "go too far", they often feel too guilty to receive treatment later on.

Glen Burgenheier, Manic-depressive, stated that his family could have been better treated, if they had had this kind of temporary care available. His sister committed suicide because there was no temporary treatment for her. Every one needs to know that this help is available for them or for family members.

Joy McGrath, Mental Health Association, stated that she has worked on the bill closely and supports it.

Suzanne Todd, Montana Alliance for the Mentally Ill, stated that families need to be protected, too, and this bill offers that.

Jean Porter, MAMI, stated that this a humane, cost-effective way to care for patients who need quick stabilization and care.

Kelly Morse, Director, Board of Visitors, stated that she has also worked on the bill; the committee consisted of attorneys, professors, families, clients, and mental health professionals, and she urges support.

DISCUSSION OF H.B. 316: Sen. Eck: What does the bill do about the mentally ill who commit a crime and run afoul of the law?

Nick Rotering: A person may still be found guilty and the court will outline mental health counseling treatment with or without incarceration, or possibly probation.

Sen. Eck: Do we have a group home for such a person to stay in?  
Nick Rotering: No.

Rep. Addy stated, in closing, that former Sen. Tom Towe had spent hundreds of hours also working on this bill and he expressed his thanks to him and the committee for their consideration.

ACTION ON H.B. 316: Sen. Hager moved that H.B. 316 BE CONCURRED IN. The vote in favor was unanimous. Sen. Hager will carry the bill.

ACTION ON H.B. 462: Karen Renne explained the amendment that she had drafted at the suggestion of Maggie Bullock of SRS. Sen. McLane moved that the amendment do pass. The DO PASS was unanimous. Sen. McLane moved that H.B. 462 BE CONCURRED IN AS AMENDED. The vote in favor was unanimous. Sen. McLane will carry the bill.

FURTHER CONSIDERATION OF H.B. 750: Sen. Eck opened the discussion by explaining the proposed amendment to the Hazardous Chemical Right-to-Know bill as to how the effective date will work for this act. There is no money from the government for the committee that the amendment asks for.

Sen. Himsel: Why does this deal with a distributor and not a retailer?

Sen. Eck: Since the state of Montana enacted this legislation in 1985, the Federal government has since more comprehensive statutes; the federal statutes cover the retail section, so the state does not need to. If the state doesn't do anything, then we maintain a system that duplicates what the federal regulations now require.

Karen Renne: The purpose of this bill is to substitute the now effective federal regulations for the state law. The amendments call for an effective date to be in compliance with the federal effective date and for the appointment of the emergency planning districts and commissions by the governor.

Sen. Norman: Should the records of information and inspection rest with the clerk and recorder's offices or with the fire marshalls' offices? I've heard some controversy over this.

Sen. Eck: The firemen want the information, but they don't necessarily want people coming to the stations to obtain information; but the clerk and recorder offices are closed on weekends, when it could be necessary to get information.

Sen. Vaughn: To file the information with the clerk and recorder offices makes for a lot of unnecessary recording for the clerks, and not many people would think to look there.

Sen. Eck: Why don't the members of the committee talk to some of their local officials over the next couple of days, and we'll take executive action on this on Monday.

ACTION ON H.B. 416: Karen Renne presented the various sets of amendments for consideration by the committee. Three of them cover Page 9, Lines 16-17, which are not clear in their meaning.

Sen. Meyer: What about septic tanks? They pollute wells and underground water.

Karen Renne: They are not considered hazardous waste.

Sen. Eck: It depends on soils and if a tank can resist corrosion in a particular soil.

Sen. Meyer: I move that H.B. 416 do not pass.

Sen. Rassmussen: I make a substitute motion, that H.B. 416 do pass. One of the reasons for this bill is that there are real problems right here in the Helena valley from pollution from different tanks.

Sen. Eck: What does "vary from the federal standards" mean? That is a little confusing.

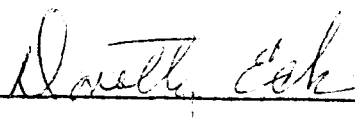
Karen Renne: There are no federal standards adopted yet in this area, and none address the soils issue.

Sen. Himsl: Is the thrust to exceed the federal standards?

Sen. Rassmussen: This is simply an area that the federal regulations don't cover.

Sen. Eck called for Sen. Rassmussen's substitute motion. The roll call vote included Senators Eck, Norman, Williams, Vaughn, Rassmussen, and McLane voting yes, and Senators Himsl, Hager voting no. The motion that H.B. 416 BE CONCURRED IN UNAMENDED passed. Sen. Rassmussen will carry the bill.

The meeting adjourned at 2:50 P.M.

  
Chairman

DATE 3-20-87

COMMITTEE ON

# VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
Jean Ryan E. Gable	Seniors Center	HB 454	✓	
Joe Upsham	AARP	HB 455	✓	
James Hammen	AARP	HB 455	X	
Maggie Bullock	SRS	HB 462	X	
Barbara Dooher	MNA	HB 455	X	
Nancy Adam	Mental Health	HB 316	X	
Don Harr	Reg. III Mental Health Center	HB 316	X	
Glenn Birgenheier	Patient viewpoint	HB 316		
Jane Campbell	Alliance for the mentally ill	HB 316	✓	
Jeanette Saint	Alliance for the mentally ill	HB 316	✓	
Janne Porter	Alliance for the mentally ill	HB 316		
Jack Kruska	Region II Mental Health Ctr	HB 316	✓	
Jim Schwind	SELF	HB 316	X	
Py McBrath	Mental Health Assoc	316	X	
Bill Leary	ITT Hosp. Assn.	HB 455	X	
Jim Smith	NIAA	HB 462	X	
Nick Rotering	Dept. of Inst.	HB 462	X	

(Please leave prepared statement with Secretary)



ROLL CALL

Public Health, Welfare and Safety COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date 3-20-87

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.

## SENIORS' OFFICE

LEGAL AND OMBUDSMAN SERVICES

P.O. BOX 232  
CAPITOL STATION

TED SCHWINDEN, GOVERNOR



## STATE OF MONTANA

(406) 444-4676  
1-(800) 332-2272

HELENA, MONTANA 59620

March 20, 1987

TO: Senate Public Health Committee

FROM: Doug Blakley, State Ombudsman

RE: In support of HB 455 - "RESIDENTS RIGHT BILL"

Major objective of the bill

- \* To provide clarification to existing federal resident rights that are ambiguous or non-specific and thus difficult to enforce.
- \* To extend protection in areas that have proved to be problematic but are not currently covered in federal law.
- \* By establishing a set of resident rights in Montana law, emphasize their importance to residents in our nursing homes.

Rationale for requesting a bill

The current federal "Resident Bill of Rights" was developed around 1974. The language in the bill is generally viewed as broad, vague and in need of updating. Several unsuccessful attempts have been made in Congress since 1974 to address these problems. In the absence of federal action, 30 states have enacted their own state resident rights legislation.

Components of the bill

There are three major sections of the bill:

- 1) increased facility requirements to ensure that staff and the general public are aware of rights
- 2) the additional rights language, including the following:
  - \*personal privacy rights
  - \*loss of personal property more diligently investigated
  - \*30 days notice for any rate changes
  - \*right to a monthly bill, regardless of payment source
  - \*right to retain health care decision making ability
  - \*notification rights in the event of accidents
  - \*involuntary transfer rights
  - \*rights to have grievances addressed by the facility
- 3) enforcement mechanism to ensure problems are corrected

Development of the bill

The bill was developed over a 6-9 month period, with input from consumers and providers alike. The final version of the bill is a consensus bill that both consumers and providers supported. Both Legacy Legislature and AARP have made resident rights a priority legislative item and support the current bill.

(This sheet to be used by those testifying on a bill)EXHIBIT 2DATE 3-20-87BILL NO 455NAME: Joe Upshaw DATE: 3/21/87ADDRESS: 2016 Highland, Helena, MTPHONE: 442-5956REPRESENTING WHOM? AARPAPPEARING ON WHICH PROPOSAL: HB 455DO YOU: SUPPORT? X AMEND?        OPPOSE?       COMMENT: MADAM CHAIRMAN, Members of the Committee,

For the record I am Joe Upshaw of Helena Representing the Americans  
Association of Retired Persons. This legislation has long been a priority  
item of my organization, and we feel that this is a good  
bill and is needed by the older citizens of Montana. The  
rapidly growing number of our citizens who become in need of  
long term care creates a constant need for this type legislation.  
We urge you to take prompt action on HB 455

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

(This sheet to be used by those testifying on a bill.)

SENATE HEALTH & WELFARE

EXHIBIT: 3

DATE: 3/20/87

BILL NO: 5138

DATE: 3/20/87

NAME: ELMER HAUSKEN

ADDRESS: Helena

PHONE: 442-8319

REPRESENTING WHOM? AAIRP

APPEARING ON WHICH PROPOSAL: HB 455

DO YOU: SUPPORT? ☒

AMEND? ☐

OPPOSE? ☐

COMMENT:

I am an unpaid volunteer registered lobbyist  
For the record I represent the  
80,000 paid members of AAIRP residing  
in Montana and all other senior  
or aging citizens requiring Nursing Home  
facilities and service.

I urge you to support and approve  
this necessary act to protect our aging  
population with pride in our  
Management of government.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

SENATE WELFARE

EXHIBIT 4

DATE 3-20-87

BILL NO. 455

Madame Chairman and Members of the Committee:

For the record my name is Helen McKnight from Helena. I am here to represent the more than 7000 members of the Montana Senior Citizens Association. We support HB 455 that provides for a Bill of Rights for the residents of Montana's long-term care facilities. We urge you to pass this important legislation. Thank you.

# MONTANA COUNCIL OF MENTAL HEALTH CENTERS

## MONTANA MENTAL HEALTH CENTERS

512 Logan  
Helena, Mt. 59601  
(406) 442-7808

SENATE HEALTH & WELFARE

EXHIBIT NO. 5

DATE 3-20-84

BILL NO. 316

### HB 316 - PROPOSED COMMITMENT LAW

#### I. WHY IS THERE A NEED FOR A NEW TYPE OF INVOLUNTARY COMMITMENT?

Under the current law a mentally ill person must be a clear and imminent danger to themselves or others in order to be involuntarily committed for treatment. The law requires that the mentally ill individual must have committed a recent and overt action to be classed as seriously mentally ill and to be committed for treatment.

A mentally ill person, who needs treatment and is very sick and deteriorating, often does not meet the current legal definition to be committed for treatment. For instance, a suicidal person who is under voluntary outpatient treatment for clinical depression may not meet the current definition to be committed unless they have done a recent and overt act.

The same could be true for a client in a day treatment program who suddenly stops taking care of themselves including eating. The client can even be hearing voices telling him (her) to do violent acts. Even though the person is obviously deteriorating and requires treatment, there is nothing that can be done until the individual commits some overt act.

#### II. WHAT IS THE PROPOSED LAW CHANGE?

An additional definition, mentally ill, would be added to the current commitment law. The court could commit a "mentally ill" person to only a community facility for a very limited time with the intention of getting the person stabilized and able to function in the community.

In order to be committed to a community facility under this additional definition, the "mentally ill" person would have to meet all the following criteria:

The person would have to be suffering from a mental disorder which:

(1) has resulted in behavior that creates serious difficulty in protecting the person's life or health even with available assistance from family, friends, or others;

(2) is treatable, with a reasonable prospect of success and consistent with the least restrictive course of treatment, at or through the community facility to which the person is to be committed;

*When all else is lost, the future still remains. -Bovee*

**REGION I**  
EASTERN MONTANA COMMUNITY  
MENTAL HEALTH CENTER  
1819 Main Street  
Miles City, Montana 59301  
(232-0234)

**REGION II**  
GOLDEN TRIANGLE COMMUNITY  
MENTAL HEALTH CENTER  
Holiday Village Shopping Center  
P.O. Box 3048  
Great Falls, Montana 59403  
(761-2100)

**REGION III**  
MENTAL HEALTH CENTER  
1245 North 29th Street  
Billings, Montana 59101  
(252-2882)

**REGION IV**  
MENTAL HEALTH  
SERVICES, INC.  
512 Logan  
Helena, Montana 59601  
(442-0310)

**REGION V**  
WESTERN MONTANA COMMUNITY  
MENTAL HEALTH CENTER  
Fort Missoula T-12  
Missoula, Montana 59801  
(728-6870)

(3) has deprived the person of the capacity to make an informed decision concerning treatment;

(4) has resulted in the person's refusing or being unable to consent to voluntary admission for treatment; and

(5) will, if untreated, predictably result in further serious deterioration in the mental condition of the person or poses significant risk of the person's becoming seriously mentally ill. Predictability may be established by the patient's medical history.

### III. WHAT ARE THE SAFEGUARDS IN THE PROPOSAL?

1. The commitment procedure requires a court hearing in which the person will be represented by an attorney.
2. The court must hold an initial hearing on the petition for commitment within 5 days.
3. The court must appoint a professional to evaluate the person who is alleged to be "mentally ill".
4. The person alleged to be "mentally ill" can also receive an additional evaluation by a professional person of his (her) choice.
5. The person may not be detained until after a hearing is held, a determination is made, and a court order is issued committing the person for treatment.
6. The person who is alleged to be "mentally ill" can demand a jury be impaneled to hear the case.
7. The person has the right to know in advance of the hearing the names of the witnesses who will testify.
8. To be committed the person must meet all of the criteria to be adjudicated as being "mentally ill." (See item II above for a list of the criteria.)
9. In order to require treatment which includes medication the court must make a separate finding and make a separate order for medication. However, the court may not order the use of physical force to administer medication.
11. The person can only be committed to a community facility for a 30 day period. There can be only one extension of the 30 day period for an additional 30 days.
12. The person declared to be "mentally ill" retains other safeguards such as the right to appeal the court decision.

ROLL CALL VOTE

SENATE COMMITTEE Public Health, Welfare and Safety

Date 3-20-87 Bill No. 637 Time 12:37

NAME	YES	NO
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 Himsel	X	
Tom Hager	X	

Ellen Nehring  
Secretary

Dorothy Eck  
Chairman

Motion: HB 637 Be Concurred In

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\_\_\_\_\_

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ROLL CALL VOTE

SENATE COMMITTEE Public Health, Welfare and Safety

Date 3-20-87 Bill No. 364 Time 1 PM

NAME	YES	NO
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

Ellen Nehring  
Secretary

Dorothy Eck  
Chairman

Motion: To Pass Sen. Jacobson's Amendment

ROLL CALL VOTE

SENATE COMMITTEE Public Health, Welfare and Safety

Date 3-20-87 Bill No. 364 Time 1:12

NAME	YES	NO
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 Himsel		X
Tom Hager	X	

Ellen Nehring  
Secretary

Dorothy Eck  
Chairman

Motion: Be concurred in as amended

ROLL CALL VOTE

SENATE COMMITTEE Public Health, Welfare and Safety

Date 3-20-87 Bill No. 416 Time 2:45

NAME	YES	NO
Dorothy Eck	X	
Bill Norman	X	
Bob Williams	X	
Darryl Meyer		
Eleanor Vaughn	X	
Tom Rasmussen	X	
Judy Jacobson		
Harry H. "Doc" McLane	X	
Matt Himsl		X
Tom Hager		X

Ellen Nehring  
Secretary

Dorothy Eck  
Chairman

Motion: To Pass Unamended

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# STANDING COMMITTEE REPORT

.....M. ARCH. 20..... 19. 87.....

MR. PRESIDENT

We, your committee on.....~~SENATE~~ PUBLIC HEALTH, WELFARE AND SAFETY.....

having had under consideration.....HOUSE BILL..... No. 637.....

THIRD reading copy ( BLUE )  
color

ALLOW LEGISLATURE TO DETERMINE WELFARE AND HUMAN SERVICE BENEFITS

WINSLOW (MILLINIS)

Respectfully report as follows: That.....HOUSE BILL..... No. 637.....

BE CONSIDERED IN

~~DO NOT PASS~~

~~DO NOT PASS~~

.....DOROTHY FICK.....  
Chairman.

# STANDING COMMITTEE REPORT

14 MARCH 20

19 27

MR. PRESIDENT

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

having had under consideration **HOUSE BILL**

**N. 637**

**REPORT**

reading copy ( **READ:** )  
color

**ALIAS LEGISLATURE TO ESTABLISH WELFARE AND HOMER SERVICE BENEFITS**

**WILLIAM (WILLIAMS)**

Respectfully report as follows: That

**HOUSE BILL**

**N. 637**

BE CONTAINED IN

RECORD

EXHIBIT-101

**COMMITTEE BOX**

Chairman

# STANDING COMMITTEE REPORT

SCRHB364

March 20, 1947

MR. PRESIDENT

## Public Health, Welfare, and Safety

We, your committee on.....

House Bill

364

having had under consideration..... No.....

third blue  
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color

## MERGING BOARD OF DENTURITY WITH BOARD OF DENTISTRY

Respectfully report as follows: That..... House Bill..... No..... 364.....

### BE AMENDED AS FOLLOWS:

1. Title, line 10.  
Following: "2-15-1847"  
Strike: "AND"  
Insert: ", 37-4-202,"  
Following: "37-29-102,"  
Insert: "AND 37-29-404,"  
Following: "REPEALING"  
Strike: "SECTION"  
Insert: "SECTIONS"  
Following: "2-15-1855,"  
Insert: "37-29-202, AND 37-29-203,"

2. Page 2, line 5.  
Following: "two"  
Strike: "lay persons"  
Insert: "public members"

3. Page 2, following line 25.  
Insert: "Section 2. Section 37-4-202, MCA, is amended to read:  
"37-4-202. Meetings -- notice -- quorum -- records. (1) The board shall meet at least once each year in this state at the call of the president and secretary-treasurer. Five days' notice must be given by the department to board members of the time and place of the meeting of the board."

DO PASS

DO NOT PASS

CONTINUED

Chairman.

March 20,

87  
19.....

(2) Meetings held for the purpose of examining candidates for a license to practice dentistry in this state may not exceed 6 days.

(3) Four Five members of the board constitute a quorum for the transaction of business. Its proceedings are open to public inspection in cases of public interest.

(4) Money collected by the department under this chapter shall be deposited in the state special revenue fund for the use of the board, subject to 37-1-101(6).

(5) The department shall keep a complete record of meetings and proceedings of the board and shall keep a complete account of moneys received and disbursements made by the department."

Renumber: subsequent section

4. Page 3, following line 25.

Insert: "Section 4. Section 37-29-404, MCA, is amended to read:

"37-29-404. Notice of board address -- guarantee.

(1) A notice must be posted in a conspicuous area on any premises where the practice of dentistry is conducted, with lettering of a size easily read by the average person and in substantially the following form:

ANY CONSUMER WHO HAS A COMPLAINT RELATING TO PRACTICES OF THIS ESTABLISHMENT MAY CONTACT THE MONTANA BOARD OF DENTISTRY DENTISTRY, DEPARTMENT OF COMMERCE, 1424 NINTH AVENUE, HELENA, MONTANA 59620.

(2) All denturist services must be unconditionally guaranteed for a period of not less than 90 days."

Renumber: subsequent sections

5. Page 4, line 1.

Following: "Repealer."

Strike: "Section"

Insert: "Sections"

Following: "2-15-1895,"

Insert: "37-29-202, and 37-29-203."

6. Page 4, line 2.

Following: "MCA,"

Strike: "is"

Insert: "are"

AND AS AMENDED,  
BE CONCURRED IN

Senator Eck

# STANDING COMMITTEE REPORT

MARCH 10

19 67

MR. PRESIDENT

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

having had under consideration HOUSE BILL No. 614

THIRD reading copy ( BLUE )  
color

**REMOVING REQUIREMENT OF QUARTERLY REPORT ON DEVELOPMENTAL DISABILITIES**

**MILLER ( JACOBSON )**

Respectfully report as follows: That HOUSE BILL No. 614

BE CONCURRED IN

~~XXXXXXXXXX~~

~~XXXXXXXXXX~~

DOROTHY ECK

Chairman.



MARCH 20

1987

MR. PRESIDENT

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

having had under consideration..... HOUSE BILL No. 455

third reading copy ( blue )  
color

**ESTABLISHING LONG-TERM CARE FACILITY RESIDENT'S RIGHTS**

**MILES (HON)**

Respectfully report as follows: That..... HOUSE BILL No. 455

HE CONCURRED IN

~~DO NOT PASS~~

~~DO NOT PASS~~

.....  
**DOROTHY ECK**

Chairman.

# STANDING COMMITTEE REPORT

.....MARCH 20..... 1967.....

MR. PRESIDENT

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

having had under consideration.....HOUSE BILL..... No. 647.....

THIRD reading copy ( BLUE )  
color

WEEKLY MEDICATION REVIEW NOT REQUIRED FOR OUTPATIENTS

BULGER (MEYER)

Respectfully report as follows: That.....HOUSE BILL..... No. 647.....

BE CONCURRED IN

~~DO PASS~~

~~DO NOT PASS~~

.....  
DOROTHY FCK

Chairman.

# STANDING COMMITTEE REPORT

MARCH 20

1987

MR. PRESIDENT

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

having had under consideration HOUSE BILL No. 316

THIRD reading copy ( BLUE )  
color

**PROVIDING FOR INVOLUNTARY COMMITMENT AND TREATMENT IN LOCAL COMMUNITY**

**ADDY (HAGER)**

Respectfully report as follows: That HOUSE BILL No. 316

BE CONCURRED IN

DOORASE

DOORVCPASS

DOROTHY ECK

Chairman.

# STANDING COMMITTEE REPORT

SCRIP462

.....MARCH 20,..... 1967.....

MR. PRESIDENT

## PUBLIC HEALTH, WELFARE, AND SAFETY

We, your committee on.....  
House Bill..... 462  
having had under consideration..... No.....  
third..... blue  
..... reading copy (..... )  
color

### CLARIFYING PROVISIONS FOR SEVERELY DISABLED PERSONS

Respectfully report as follows: That..... House Bill..... No..... 462

#### BE AMENDED AS FOLLOWS:

1. Page 2, line 6.

Following: "home."

Insert: "(1)"

2. Page 2, following line 13.

Insert: "(2) A person who has a primary diagnosis of  
mental illness or who receives mental health services  
under Title 53, chapter 21, is not eligible for  
placement in residential services unless he is eligible  
for and receiving services under this part and Title  
VII, Part A, of the federal Rehabilitation Act of 1973  
(29 U.S.C. 796, as amended)."

AND AS AMENDED,  
BE CONCURRED IN

XXXXXX  
DO PASS

XXXXXXXXXX  
DO NOT PASS

.....  
Chairman.

Senator LCK

# STANDING COMMITTEE REPORT

.....MARCH 23..... 1987.....

MR. PRESIDENT

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

having had under consideration.....HOUSE BILL..... No. 416.....

.....THIRD..... reading copy ( BLUE )  
color

CLARIFYING AND EXPANDING UNDERGROUND TANK ENFORCEMENT AUTHORITY

DONALDSON (RASSMUSSEN)

Respectfully report as follows: That.....HOUSE BILL..... No. 416.....

BE CONCURRED IN

DO PASS

RENCORPASS

.....  
DOROTHY ECK

Chairman.