

1 House BILL NO. 715
 2 INTRODUCED BY Baudouine Lund
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH A NURSING
 5 HOME LOCATION COMMITTEE, DEFINE ITS DUTIES, AND THE DUTIES
 6 OF THE DEPARTMENT OF INSTITUTIONS IN RELATION TO THE
 7 COMMITTEE; PROVIDE AN EXPIRATION DATE; AND PROVIDE AN
 8 IMMEDIATE EFFECTIVE DATE."

9
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Legislative intent. (1) It is the intent
 12 of the legislature that geriatric patients at Warm Springs
 13 state hospital and geriatric residents of the state, who may
 14 in the future be placed at Warm Springs state hospital and
 15 who do not need intensive psychiatric care, receive care and
 16 treatment in nursing homes located in community settings.

17 (2) It is the further intent of the legislature that
 18 nursing homes providing such care and treatment be located
 19 regionally so that the residents may be near their homes and
 20 families.

21 (3) It is the further intent of the legislature that
 22 these nursing homes shall be located in communities with:

- 23 (a) a labor pool large enough to ensure adequate and
- 24 qualified staffing;
- 25 (b) sufficient medical facilities and medical

1 professionals to provide necessary medical services; and
 2 (c) if possible, an institution or institutions of
 3 higher learning with educational programs in disciplines
 4 with relevance to the problems of aging.

5 Section 2. Nursing home location committee.

6 (1) There is a nursing home location committee.

7 (2) The committee is composed of nine (9) members to
 8 be selected as follows:

9 (a) one (1) professional person, with experience in
 10 the field of geriatrics appointed by the governor, from each
 11 of the five (5) mental health regions;

12 (b) one (1) representative of nursing home
 13 administrators within the state, appointed by the governor;

14 (c) one (1) medical doctor licensed to practice in the
 15 state, appointed by the governor; and

16 (d) the director of institutions and the director of
 17 health and environmental sciences or their designees.

18 (3) The committee is a quasi-judicial board for the
 19 purposes of subsections (4), (5), (6), (7) and (8) of
 20 section 82A-112.

21 (4) The committee is allocated to the department of
 22 institutions for administrative purposes only as provided in
 23 section 82A-108.

24 Section 3. Duties of the committee. (1) The nursing
 25 home location committee shall select communities for the

1 location of state-owned nursing homes authorized by
2 legislative appropriation.

3 (2) In selecting communities, the committee shall
4 adhere to the principles enunciated in section [1 of this
5 act].

6 (3) In addition, the committee may consider donation
7 of land to the state by a private individual or a local
8 government for the purpose of establishing a nursing home
9 under this act.

10 (4) The committee shall make the necessary selection
11 of communities for the location of nursing homes authorized
12 by the forty-fourth legislature prior to September 1, 1975.

13 Section 4. Duties of department of institutions. The
14 department of institutions:

15 (1) shall contract with nonprofit corporations, which
16 demonstrate expertise in and the capability of providing
17 rehabilitative and restorative programs for aged citizens,
18 for the operation and management of nursing homes
19 established under this act;

20 (2) shall ensure that nursing homes established and
21 operated under this act are in compliance with all
22 applicable federal and state regulations;

23 (3) shall adopt rules for staffing requirements and
24 the admission of patients, and minimum standards for the
25 operation of nursing homes established under this act;

1 (4) shall provide that geriatric residents of Warm
2 Springs state hospital have first priority for admission to
3 nursing homes established under this act;

4 (5) may accept grants, gifts, bequests, and
5 contributions in money or property or any other form from
6 individuals, corporations, associations, or federal, state
7 and local government agencies for the purposes of
8 establishing and operating nursing homes under this act.

9 Section 5. Expiration date. Sections 2 and 3 of this
10 act are repealed on June 30, 1977.

11 Section 6. Effective date. This act is effective upon
12 passage and approval.

-End-

SECOND READING

MISSING

HOUSE BILL NO. 715

INTRODUCED BY BARDANOUVE, LUND

A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH A NURSING HOME LOCATION COMMITTEE, DEFINE ITS DUTIES, AND THE DUTIES OF THE DEPARTMENT OF INSTITUTIONS IN RELATION TO THE COMMITTEE; PROVIDE AN EXPIRATION DATE; AND PROVIDE AN IMMEDIATE EFFECTIVE DATE."

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Section 1. Legislative intent. (1) It is the intent of the legislature that geriatric patients at Warm Springs state hospital and geriatric residents of the state, who may in the future be placed at Warm Springs state hospital and who do not need intensive psychiatric care, receive care and treatment in nursing homes located in community settings.

(2) It is the further intent of the legislature that nursing homes providing such care and treatment be located regionally so that the residents may be near their homes and families.

(3) It is the further intent of the legislature that these nursing homes shall be located in communities with:

(a) a labor pool large enough to ensure adequate and qualified staffing;

(b) sufficient medical facilities and medical

professionals to provide necessary medical services; and

(c) if possible, an institution or institutions of higher learning with educational programs in disciplines with relevance to the problems of aging.

Section 2. Nursing home location committee.

(1) There is a nursing home location committee.

(2) The committee is composed of nine (9) members to be selected as follows:

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(b) one (1) representative of nursing home administrators within the state, appointed by the governor;

(c) one (1) medical doctor licensed to practice in the state, appointed by the governor; and

(d) the director of institutions and the director of health and environmental sciences or their designees.

(3) The committee is a quasi-judicial board for the purposes of subsections (4), (5), (6), (7) and (8) of section 82A-112.

(4) The committee is allocated to the department of institutions for administrative purposes only as provided in section 82A-108.

Section 3. Duties of the committee. (1) The nursing home location committee shall select communities for the

1 location of state-owned nursing homes authorized by
2 legislative appropriation.

3 (2) In selecting communities, the committee shall
4 adhere to the principles enunciated in section [1 of this
5 act].

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7 of land to the state by a private individual or a local
8 government for the purpose of establishing a nursing home
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21 operated under this act are in compliance with all
22 applicable federal and state regulations;

23 (3) shall adopt rules for staffing requirements and
24 the admission of patients, and minimum standards for the
25 operation of nursing homes established under this act;

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2 Springs state hospital have first priority for admission to
3 nursing homes established under this act;

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6 individuals, corporations, associations, or federal, state
7 and local government agencies for the purposes of
8 establishing and operating nursing homes under this act.

9 Section 5. Expiration date. Sections 2 and 3 of this
10 act are repealed on June 30, 1977.

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