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1 2 INTRODUCED BY 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 5 69-2203, R.C.M. 1947, AND PROVIDE IMMUNITY OF LONG-TERM CARE FACILITIES WHEN FURNISHING BLOOD PRODUCT TRANSFUSION SERVICES." 3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 10 Section 1. Section 69-2203, R.C.M. 1947, is amended to 11 read as follows: 12 "69-2203. Medical use of blood and blood products 13 declared service and not sale--immunity of physicians and 14 hospitals. The furnishing of, and the injecting or transfusing into the human body, of whole blood, plasma, 15 blood products, and blood derivatives, by a hospital, 16 17 long-term care facility or doctor, of any such substances, obtained by such hospital, long-term care facility or doctor 18 19 so furnishing, injecting or transfusing the same, from any 20 source or sources which said hospital, long-term care facility or doctor is not directly or indirectly financially 21 22 interested in, or has any control over, is hereby declared 23 not to be a sale of such whole blood, plasma, blood

products, or blood derivatives for any purpose or purposes,

and no physician, long-term care facility or hospital may

- be held liable, in the absence of fault or negligence on the
- 2 part of such a hospital, long-term care facility or doctor
- 3 for injuries resulting from the furnishing or performing of
- 4 such services."

-End-

Approved by Committee on Public Health, Welfare & Safety

2 INTRODUCED BY LEE NOMEN Himl Dlin

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION

5 69-2203, R.C.M. 1947, AND PROVIDE IMMUNITY OF LONG-TERM CARE

FACILITIES WHEN FURNISHING BLOOD PRODUCT TRANSFUSION

7 SERVICES."

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11 read as follows:

"69-2203. Medical use of blood and blood products declared service and not sale--immunity of physicians and nospitals. The furnishing of, and the injecting or transfusing into the human body, of whole blood, plasma, blood products, and blood derivatives, by a hospital, long-term care facility or doctor, of any such substances, obtained by such hospital, long-term care facility or doctor so furnishing, injecting or transfusing the same, from any source or sources which said hospital, long-term care facility or doctor is not directly or indirectly financially interested in, or has any control over, is hereby declared not to be a sale of such whole blood, plasma, blood products, or blood derivatives for any purpose or purposes, and no physician, long-term care facility or hospital may

- be held liable, in the absence of fault or negligence on the
- 2 part of such a hospital, long-term care facility or doctor
- 3 for injuries resulting from the furnishing or performing of
- 4 such services."

-End-

1 2 INTRODUCED EXTER NO. 182
3

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 69-2203, R.C.M. 1947, AND PROVIDE IMMUNITY OF LONG-TERM CARE FACILITIES WHEN FURNISHING BLOOD PRODUCT TRANSFUSION SERVICES."

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- be held liable, in the absence of fault or negligence on the
- 2 part of such a hospital, long-term care facility or doctor
- 3 for injuries resulting from the furnishing or performing of
- 4 such services."

-End-

SB 182

44th Legislature SB 0182/02

1	SENATE BILL NO. 182
2	INTRODUCED BY LEE, NORMAN, HIMSL, OLSON
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
5	69-2203, R.C.M. 1947, AND PROVIDE IMMUNITY OF LONG-TERM CARE
6	FACILITIES WHEN FURNISHING BLOOD PRODUCT TRANSFUSION
7	SERVICES."
8	
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
0	Section 1. Section 69-2203, R.C.M. 1947, is amended to
1	read as follows:
.2	*69-2203. Medical use of blood and blood products
.3	declared service and not saleimmunity of physicians and
.4	hospitals. The furnishing of, and the injecting or
.5	transfusing into the human body, of whole blood, plasma,
.6	blood products, and blood derivatives, by a hospital $\underline{}$
.7	long-term care facility or doctor, of any such substances,
.8	obtained by such hospital, long-term care facility or doctor
.9	so furnishing, injecting or transfusing the same, from any
0	source or sources which said hospital, long-term care
:1	facility or doctor is not directly or indirectly financially
2	interested in, or has any control over, is hereby declared
:3	not to be a sale of such whole blood, plasma, blood
4	products, or blood derivatives for any purpose or purposes,
:5	and no physician, long-term care facility or hospital may

- be held liable, in the absence of fault or negligence on the
- 2 part of such a hospital, long-term care facility or doctor
- 3 for injuries resulting from the furnishing or performing of
- 4 such services."

-End-

SB 0182/02