

1 *Senate* BILL NO. *322*
 2 INTRODUCED BY *Joe Neely E. Smith*
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
 5 69-5201, R.C.M. 1947, TO PERMIT THE HOSPITAL RELATED
 6 FACILITY KNOWN AS OUTPATIENT FACILITY -- B TO INCLUDE
 7 OBSERVATION BEDS."

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

10 Section 1. Section 69-5201, R.C.M. 1947, is amended to
 11 read as follows:

12 "69-5201. Definitions. As used in this chapter, unless
 13 the context clearly indicates otherwise:

14 (1) "Hospital" means any health care facility licensed
 15 by the department of health and environmental sciences to
 16 provide, by or under the supervision of licensed physicians,
 17 services for medical diagnosis, treatment, and care of
 18 injured, disabled, or sick persons. Services provided may or
 19 may not include obstetrical care. A health care facility in
 20 order to be licensed as a hospital must have an organized
 21 medical staff; shall provide twenty-four (24) hour nursing
 22 care by licensed professional nurses and shall be in
 23 compliance with the regulations for licensed hospitals as
 24 promulgated and adopted by the state department of health
 25 and environmental sciences.

1 (2) "Hospital related facility" means a facility
 2 licensed by the department of health and environmental
 3 sciences to provide any or all of the following: diagnosis;
 4 treatment; medical or nursing care or medically related
 5 rehabilitation services. Such facilities include, but are
 6 not limited to, outpatient facilities, public health
 7 centers, rehabilitation facilities, long-term care
 8 facilities, infirmaries, mental health and mental
 9 retardation institutions, alcohol and drug dependency
 10 centers and half-way houses. A health care facility in order
 11 to be licensed as a "hospital related facility" shall be in
 12 compliance with the regulations, for the specific category
 13 of facility, as promulgated and adopted by the state
 14 department of health and environmental sciences.

15 (a) "Outpatient facility" means a place, located in or
 16 apart from a hospital, which provides to ambulatory patients
 17 not requiring hospitalization the services of persons
 18 licensed to practice medicine or dentistry in the state of
 19 Montana, and which makes provision for its patients to
 20 receive a reasonably full range of physical or mental
 21 diagnostic and treatment services.

22 (i) "Outpatient facility - A" is operated as an
 23 organizational component of a hospital and may establish
 24 observation beds. "Observation beds" are those beds
 25 established for use by an outpatient recovering from minor

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1 surgery or other treatment and will be occupied for a period
2 of time not in excess of six (6) hours.

3 (ii) "Outpatient facility - B" is operated apart from a
4 hospital and may ~~not~~ include observation beds.

5 (b) "Public health centers" means a publicly owned
6 facility utilized by a local health unit for the provision
7 of public health services, including related public
8 facilities such as laboratories, clinics, and administrative
9 offices operated in connection with public health centers.

10 (c) "Rehabilitation facility" means a facility
11 providing community service which is operated for the
12 primary purpose of assisting in the rehabilitation of
13 disabled persons through an integrated program under
14 competent professional supervision including: medical
15 services and evaluation; and psychological, social and
16 vocational services and evaluation.

17 (d) "Long-term care facility" means a place which
18 provides skilled nursing care to a total of two (2) or more
19 persons or personal care to more than three (3) persons, who
20 by reason of illness or disability are unable to properly
21 care for themselves and are not related to the owner or
22 administrator by blood or marriage, and may be defined as
23 follows:

24 (i) "Skilled nursing facilities" are establishments
25 furnishing continuous skilled nursing care and related

1 services twenty-four (24) hours a day.

2 (ii) "Intermediate care facilities - A" are
3 establishments furnishing limited skilled nursing care and
4 personal care.

5 (iii) "Intermediate care facilities - B" are
6 establishments providing only personal care and services to
7 residents.

8 (iv) "Combination facilities" are establishments
9 providing two (2) or more of the following services: skilled
10 nursing care and intermediate care - A and/or B.

11 (v) Hotels, motels, boarding houses, rooming houses, or
12 similar accommodations providing for transients, students,
13 or persons not requiring institutional health care are not
14 considered to be long-term care facilities.

15 (e) "Infirmarium" means a facility located in a
16 university, college, government institution, or industry,
17 for the treatment of the sick or injured.

18 (i) "Infirmarium - A" provides outpatient and inpatient
19 care.

20 (ii) "Infirmarium - B" provides outpatient care only.

21 (3) "Person" means any individual, firm, partnership,
22 association or corporation, or governmental unit.

23 (4) "Governmental unit" means the state, a state
24 agency, any county, municipality, political subdivision of
25 the state or an agency of any political subdivision.

1 (5) "Resident" means a person who is in a long-term
2 care facility as a patient or for personal care.

3 (6) "Health care facility" means a hospital, hospital
4 related facility or long-term care facility."

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