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Senate BILL NO. 376
Watt Brown

INTRODUCED BY

A BILL FOR AN ACT ENTITLED: "AN ACT TRANSFERRING THE LICENSING AND CERTIFICATION OF NURSING HOMES, RETIREMENT HOMES, AND OTHER LONG-TERM CARE FACILITIES FROM THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES TO THE PUBLIC SERVICE COMMISSION."

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

Section 1. There is a new R.C.M. section numbered 82A-1707 that reads as follows:

82A-1707. Additional functions transferred to department. (1) The functions of the department of health and environmental sciences which are contained in sections 69-5207, 69-5208, and 69-5213, are transferred to the public service commission. Those functions of the department of health and environmental sciences in Title 69, chapter 52, R.C.M. 1947, which relate to long-term care facilities as defined in section 69-5201, are transferred to the public service commission.

(2) The functions of the department of health and environmental sciences in Title 34, chapter 3, R.C.M. 1947, which relate to retirement homes as defined in section 34-302, are transferred to the public service commission.

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(3) The licensing and certification functions of the department of health and environmental sciences, administratively designated, for the purposes of Title XIX of the Social Security Act (medicare and medicaid programs of the federal government) are transferred to the public service commission to the extent such functions relate to nursing homes and other long-term care facilities and retirement homes.

(4) All rules adopted by the department of health and environmental sciences pursuant to the functions transferred by this section are also transferred to the public service commission and shall be published in Title 38, Montana Administrative Code.

-End-

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