

*Senate* BILL NO. 355  
*Love* *Evans*

1  
2 INTRODUCED BY \_\_\_\_\_  
3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR  
5 COUNSELING AND THE BASIC INFORMATION AND EDUCATION REQUIRED  
6 IN CONJUNCTION WITH THE PROVISION OF COMPREHENSIVE VOLUNTARY  
7 FAMILY PLANNING SERVICES."

8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Purpose. The purpose of this act is to:

- 11 (1) assist in making comprehensive voluntary family
- 12 planning services available to persons desiring such
- 13 services; and
- 14 (2) develop and make available information, education,
- 15 and counseling in conjunction with the provision of family
- 16 planning services.

17 Section 2. Definitions. (1) "Department" means the  
18 department of health and environmental sciences provided for  
19 in 82A-601.

20 (2) "Family planning services" means counseling;  
21 educational and medical services, including diagnosis,  
22 treatment, drugs, supplies, devices, and related counseling  
23 furnished, prescribed by, or under the supervision of a  
24 physician, to enable persons of childbearing ages  
25 voluntarily to limit their family size and to space their

1 children.

2 Section 3. Availability of services. Family planning  
3 services shall be available for those persons of  
4 childbearing age requesting such services without regard to  
5 religion, creed, age, sex, social origin or condition, or  
6 marital status.

7 Section 4. Informed consent. (1) A person must give  
8 his informed consent prior to receiving family planning  
9 services. In order to be able to give an informed consent a  
10 person must receive basic education and information from an  
11 approved counselor regarding:

- 12 (a) the reproductive process and reproductive health;
- 13 (b) female and male reproductive anatomy and
- 14 physiology;
- 15 (c) sexuality, infertility, and sterilization;
- 16 (d) venereal disease;
- 17 (e) the social problems associated with promiscuity;
- 18 (f) contraceptive methods and contraceptive
- 19 alternatives;
- 20 (g) the safety, effectiveness, potential side effects
- 21 and complications, and problems concerning the use of a
- 22 contraceptive method; and
- 23 (h) reasons why family planning is important for the
- 24 maintenance of individual and family health.
- 25 (2) A person must sign a consent form indicating that

1 he has received the basic education and information  
2 specified in subsection (1) above prior to voluntarily  
3 accepting family planning services.

4 Section 5. Approved counselors. (1) The department  
5 shall approve persons who are able to provide basic family  
6 planning education and information under [section 4(1)] as  
7 family planning counselors. There shall be sufficient  
8 counselors approved to meet the demand for their services.

9 (2) The department shall develop criteria and  
10 standards concerning the approval of counselors called for  
11 in this act. These criteria include but are not limited to  
12 consideration of the following criteria:

13 (a) proficiency, experience, and training in the field  
14 of counseling; and

15 (b) understanding of family planning services.

16 (3) The department may adopt, amend, and revise rules  
17 for the approval of family planning counselors provided for  
18 in this act in accordance with the provisions of the Montana  
19 Administrative Procedure Act.

-End-

STATE OF MONTANA

REQUEST NO. 326-77

FISCAL NOTE

Form BD-15

In compliance with a written request received February 1, 19 77, there is hereby submitted a Fiscal Note for Senate Bill 355 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to provide for counseling and the basic information and education required in conjunction with the provisions of comprehensive voluntary family planning services.

ASSUMPTIONS :

1. The Department of Health and Environmental Sciences will need additional staff to comply with the act (1.25 FTE in FY78 and .75 FTE in FY79.)
2. The Department's responsibilities will be to supervise approximately 1,000 counselors in the state who work in the family planning area.

FISCAL IMPACT:

	<u>FY78</u>	<u>FY79</u>	<u>TOTAL</u>
Personal Services	\$18,000	\$10,760	\$28,760
Operating Expenses	4,400	2,200	6,600
Equipment	500	200	700
<b>TOTAL</b>	<u>\$22,900</u>	<u>\$13,160</u>	<u>\$36,060</u>

Costs should remain approximately at the FY79 level in future years.

*Richard L. Frang*  
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: February 8, 1977

SENATE BILL NO. 355

INTRODUCED BY DOVER, TOWE

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR COUNSELING AND THE BASIC INFORMATION AND EDUCATION REQUIRED IN CONJUNCTION WITH THE PROVISION OF COMPREHENSIVE VOLUNTARY FAMILY PLANNING SERVICES."

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

Section 1. Purpose. The purpose of this act is to:

(1) assist in making comprehensive voluntary family planning services available to persons desiring such services; and

(2) develop and make available information, education, and counseling in conjunction with the provision of family planning services.

Section 2. Definitions. (1) "Department" means the department of health and environmental sciences provided for in 82A-601.

(2) "Family planning services" means counseling; educational and medical services, including diagnosis, treatment, drugs, supplies, devices, and related counseling furnished, prescribed by, or under the supervision of a physician, to enable persons of childbearing ages voluntarily to limit their family size and to space their

SECOND READING

children.

Section 3. Availability of services. Family planning services shall be available for ~~all~~ those persons of childbearing age requesting such services without regard to religion, creed, age, sex, social origin or condition, or marital status.

~~(2) MINORS MAY RECEIVE COUNSELING SERVICES WITHOUT PARENTAL CONSENT, BUT NO CONTRACEPTIVE DRUGS OR DEVICES WITHOUT PARENTAL CONSENT.~~

Section 4. Informed consent. (1) A person must give his informed consent prior to receiving family planning services. In order to be able to give an informed consent a person must receive basic education and information from an approved counselor regarding:

(a) the reproductive process and reproductive health;

(b) female and male reproductive anatomy and physiology;

(c) sexuality, infertility, and sterilization;

(d) venereal disease;

(e) the social problems associated with promiscuity;

(f) contraceptive methods and contraceptive alternatives;

(g) the safety, effectiveness, potential side effects and complications, and problems concerning the use of a contraceptive method; and

1 (h) reasons why family planning is important for the  
2 maintenance of individual and family health.

3 (2) A person must sign a consent form indicating that  
4 he has received the basic education and information  
5 specified in subsection (1) above prior to voluntarily  
6 accepting family planning services.

7 ~~Section 5--Approved counselors--(1)--The department~~  
8 ~~shall approve persons who are able to provide basic family~~  
9 ~~planning education and information under [section 4(1)] as~~  
10 ~~family planning counselors. There shall be sufficient~~  
11 ~~counselors approved to meet the demand for their services.~~

12 ~~(2)--The department shall develop criteria and~~  
13 ~~standards concerning the approval of counselors called for~~  
14 ~~in this act. These criteria include but are not limited to~~  
15 ~~consideration of the following criteria:~~

16 ~~(a)--proficiency, experience, and training in the field~~  
17 ~~of counseling; and~~

18 ~~(b)--understanding of family planning services;~~

19 ~~(3)--The department may adopt, amend, and revise rules~~  
20 ~~for the approval of family planning counselors provided for~~  
21 ~~in this act in accordance with the provisions of the Montana~~  
22 ~~Administrative Procedure Act.~~

-End-

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 2                   INTRODUCED BY DOVER, TONE  
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 4   A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR  
 5   COUNSELING AND THE BASIC INFORMATION AND EDUCATION REQUIRED  
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 9   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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- 11       (1) assist in making comprehensive voluntary family
- 12       planning services available to persons desiring such
- 13       services; and
- 14       (2) develop and make available information, education,
- 15       and counseling in conjunction with the provision of family
- 16       planning services.

17       Section 2. Definitions. (1) "Department" means the

18       department of health and environmental sciences provided for

19       in 82A-501.

20       (2) "Family planning services" means counseling;

21       educational and medical services, including diagnosis,

22       treatment, drugs, supplies, devices, and related counseling

23       furnished, prescribed by, or under the supervision of a

24       physician, to enable persons of childbearing ages

25       voluntarily to limit their family size and to space their

1   children.

2           Section 3. Availability of services. Family planning

3   services shall be available for (1) those persons of

4   childbearing age requesting such services without regard to

5   religion, creed, age, sex, social origin or condition, or

6   marital status.

7           ~~(2) MINORS MAY RECEIVE COUNSELING SERVICES WITHOUT~~

8   ~~PARENTAL CONSENT, BUT NO CONTRACEPTIVE DRUGS OR DEVICES~~

9   ~~WITHOUT PARENTAL CONSENT.~~

10       Section 4. Informed consent. (1) A person must give

11   his informed consent prior to receiving family planning

12   services. In order to be able to give an informed consent a

13   person must receive basic education and information from an

14   approved counselor regarding:

- 15       (a) the reproductive process and reproductive health;
- 16       (b) female and male reproductive anatomy and
- 17       physiology;
- 18       (c) sexuality, infertility, and sterilization;
- 19       (d) venereal disease;
- 20       (e) the social problems associated with promiscuity;
- 21       (f) contraceptive methods and contraceptive
- 22       alternatives;
- 23       (g) the safety, effectiveness, potential side effects
- 24       and complications, and problems concerning the use of a
- 25       contraceptive method; and

1 (n) reasons why family planning is important for the  
2 maintenance of individual and family health.

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4 he has received the basic education and information  
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8 shall approve persons who are able to provide basic family  
9 planning education and information under [section 4(1)] as  
10 family planning counselors. There shall be sufficient  
11 counselors approved to meet the demand for their services.~~

12 ~~(2) The department shall develop criteria and  
13 standards concerning the approval of counselors called for  
14 in this act. These criteria include but are not limited to  
15 consideration of the following criteria:~~

16 ~~(a) proficiency, experience, and training in the field  
17 of counseling; and~~

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19 ~~(3) The department may adopt, amend, and revise rules  
20 for the approval of family planning counselors provided for  
21 in this act in accordance with the provisions of the Montana  
22 Administrative Procedure Act.~~

23 SECTION 5. SEVERABILITY. IF A PART OF THIS ACT IS  
24 INVALID, ALL VALID PARTS THAT ARE SEVERABLE FROM THE INVALID  
25 PART REMAIN IN EFFECT. IF A PART OF THIS ACT IS INVALID IN

1 ONE OR MORE OF ITS APPLICATIONS, THE PART REMAINS IN EFFECT  
2 IN ALL VALID APPLICATIONS THAT ARE SEVERABLE FROM THE  
3 INVALID APPLICATIONS.

-End-