

SENATE BILL NO. 443

INTRODUCED BY THE SENATE PUBLIC HEALTH COMMITTEE  
By: *D. D. D.* Chairman

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 34-302, R.C.M. 1947, TO CLARIFY THE DEFINITION OF ROOMING HOUSES AND OTHER SIMILAR ACCOMMODATIONS; TO PROHIBIT SUCH ACCOMMODATIONS FROM PROVIDING NURSING SERVICE ON A FULL-TIME BASIS; AND TO PROVIDE FOR COMPLIANCE."

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

Section 1. Section 34-302, R.C.M. 1947, is amended to read as follows:

"34-302. Definitions. Unless the context requires otherwise in this act:

(a) "Person" includes an individual, partnership, corporation, association, county, municipality, co-operative group, or other entity engaged in the business of operating, owning, or offering the services of a hotel, motel, tourist home, retirement home or rooming house.

(b) "Board" means board of health and environmental sciences.

(c) "Department" means the department of health and environmental sciences.

(d) "Hotel or motel" includes a building or structure kept, used, or maintained as or advertised as, or held out

to the public to be a hotel, motel, inn, motor court, tourist court, public lodging house or place where sleeping accommodations are furnished for a fee to transient guests with or without meals.

(e) "Tourist home" means an establishment or premises where sleeping accommodations are furnished to transient guests for hire or rent on a daily or weekly rental basis in a private home when the accommodations are offered for hire or rent for the use of the traveling public.

(f) "Transient guest" means a guest for only a brief stay, such as the traveling public.

(g) "Rooming house or retirement home" means buildings in which separate sleeping rooms are rented providing sleeping accommodations for three (3) or more persons on a weekly, semimonthly, monthly or permanent basis; ~~with or without meals whether or not meals or central kitchens are provided, but without separate separated cooking facilities for individual occupants or kitchens within each room; and whose occupants do not need professional nursing services on a full-time basis.~~

Section 2. There is a new R.C.M. section that reads as follows:

Provision of nursing services prohibited. Hotels, motels, boarding houses, rooming houses, or similiar accommodations may not provide professional nursing services

INTRODUCED BILL

1 to residents on a full-time basis.

2 Section 3. There is a new R.C.M. section that reads as  
3 follows:

4 Complaints -- monitoring -- placement. Whenever a  
5 complaint is filed with the department of health and  
6 environmental sciences that a person in need of professional  
7 nursing services is residing in a rooming house or other  
8 similar accommodation not licensed to provide such service,  
9 the department shall investigate and provide for appropriate  
10 placement of such person if it is found that professional  
11 nursing services are needed.

-End-

STATE OF MONTANA

REQUEST NO. 593-77

FISCAL NOTE

Form BD-15

In compliance with a written request received February 22, 1977, there is hereby submitted a Fiscal Note for Senate Bill 443 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:

Clarifies the description of rooming houses and other similar accommodations, and prohibits such accommodations from providing nursing service on a full-time basis.

ASSUMPTIONS:

1. Investigations of infractions of the proposed legislation would be secured by contract with the Montana Foundation for Medical Care.
2. There would be 100 investigations per year at a cost of \$50 each.

FISCAL IMPACT:

	<u>FY 78</u>	<u>FY 79</u>	<u>TOTAL</u>
Additional cost of proposed legislation	<u>\$5,000</u>	<u>\$5,000</u>	<u>\$10,000</u>

LONG-RANGE EFFECT:

After two years, the cost per year should decrease to approximately one-half the annual cost in the 1979 biennium.

*Richard L. Young*  
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-24-77

Approved by Committee  
on Public Health, Welfare  
& Safety

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22 sciences.

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8 guests for hire or rent on a daily or weekly rental basis in  
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17 ~~without--meals~~ whether or not meals or central kitchens are  
18 provided, but without separate separated cooking facilities  
19 for--individual--occupants or kitchens within each room; and  
20 whose occupants do not need professional nursing services on  
21 a full-time basis."

22 Section 2. There is a new R.C.M. section that reads as  
23 follows:

24 Provision of FULL-TIME nursing services prohibited.  
25 Hotels, motels, boarding houses, rooming houses, or similar

SECOND READING

1 accommodations may not provide professional nursing services  
2 to residents on a full-time basis.

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SB 0443/02

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