CHAPTER NO. _____

SENATE BILL NO. 186

INTRODUCED BY NORMAN

BY REQUEST OF THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

IN THE SENATE

January 2	20, 1979	Introduced and referred to Committee on Public Health, Welfare, and Safety.
February	3, 1979	Committee recommend bill do pass. Report adopted.
February	5, 1979	Printed and placed on members' desks.
February	6, 1979	Motion pass consideration.
February	7, 1979	Second reading, do pass.
February	8, 1979	Considered correctly engrossed.
February	9, 1979	Third reading, passed. Transmitted to second house.
	IN THE HOUSI	2
February	10, 1979	Introduced and referred to Committee on Human Services.
March 5,	1979	Committee recommend bill be concurred in. Report adopted.
March 6,	1979	Second reading, concurred in.
March 8,	1979	Third reading, concurred in.

IN THE SENATE

March 9, 1979 Returned from second house. Concurred in. Sent to enrolling.

Reported correctly enrolled.

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enete BILL NO. 186 1 INTRODUCED BY Non 2 BY REQUEST OF THE DEPARTMENT OF 3

SOCIAL AND REHABILITATION SERVICES

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW LICENSED 6 FOSTER PARENTS OF MINOR CHILDREN TO ADMINISTER CERTAIN TYPES 7 OF MEDICATIONS; AMENDING SECTION 37-8-103, MCA." 8

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

Section 1. Section 37~8-103, MCA, is amended to read:
 *37-8-103. Exemptions -- limitations on authority
 conferred. (1) No provisions of this law may be construed as
 prohibiting:

14 (a) gratuitous nursing by friends or members of the 15 family;

(b) incidental care of the sick by domestic servants
or persons primarily employed as housekeepers;

18 (c) nursing assistance in the case of an emergency;

19 (d) the practice of nursing by students enrolled in 20 approved schools of nursing or approved courses or by the 21 graduates of such schools or courses pending the results of 22 the first licensing examination scheduled by the board 23 following their graduation;

24 (e) the practice of nursing in this state by any

legally qualified nurse of another state whose engagement 1 requires the nurse to accompany and care for a patient 2 temporarily residing in this state during the period of one 3 such engagement not to exceed 6 months in length, provided that person does not represent or hold herself or himself 5 out to be a nurse licensed to practice in this state; 6 (f) the practice of any legally qualified nurse of 7 another state who is employed by the United States 8 government or any bureau, division, or agency thereof while 9 10 in the discharge of that nurse's official duties; (g) nursing or care of the sick, with or without 11 12 compensation. when done in connection with the practice of the religious tenets of any well-established religion or 13 denomination by adherents thereofwi 14 15 (h) nursing or care of a minor who is in the care of a licensed, foster parents to the same extent such care may be 16 17 provided by a parent or quardian. (2) This chapter may not be construed as conferring 18 19 any authority to practice medicine, surgery, or any combination thereof; to confer any authority to practice any 20 21 of the healing arts prescribed by law to be practiced in the state of Montana; or to permit any person to undertake the 22 treatment of disease by any of the methods employed in those 23

24 arts unless the licensee has been qualified under the

25 applicable law or laws licensing the practice of those

-2- SB 186 INTRODUCED BILL

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i professions or healing arts in the state of Montana."

-End-

46th Legislature

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Approved by Committee on Public Health, Welfare & Safety water BILL NO. 186

BY REQUEST OF THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

INTRODUCED BY Noman

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW LICENSED 5 FOSTER PARENTS OF MINOR CHILDREN TO ADMINISTER CERTAIN TYPES 6 OF MEDICATIONS; AMENDING SECTION 37-8-103, HCA." 7 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9

Section 1. Section 37-8-103. MCA. is amended to read: 10 *37-8-103. Exemptions --- limitations on authority 11 12 conferred. (1) No provisions of this law may be construed as prohibiting: 13

(a) gratuitous nursing by friends or members of the 14 family: 15

16 (b) incidental care of the sick by domestic servants 17 or persons primarily employed as housekeepers;

(c) nursing assistance in the case of an emergency; 18

(d) the practice of nursing by students enrolled in 19 approved schools of nursing or approved courses or by the 20 21 graduates of such schools or courses pending the results of the first licensing examination scheduled by the board 22 23 following their graduation;

24 (e) the practice of nursing in this state by any

legally qualified nurse of another state whose engagement 1 requires the nurse to accompany and care for a patient 2 temporarily residing in this state during the period of one 2 such engagement not to exceed 6 months in length, provided 4 that person does not represent or hold herself or himself out to be a nurse licensed to practice in this state; (f) the practice of any legally qualified nurse of 7 R another state who is employed by the United States government or any bureau, division, or agency thereof while 0 10 in the discharge of that nurse's official duties; 11 (g) nursing or care of the sick, with or without 12 compensation, when done in connection with the practice of the religious tenets of any well-established religion or 13 14 denomination by adherents thereofw: 15 (h) nursing or care of a minor who is in the care of a 16 licensed foster parent, to the same extent such care may be 17 provided by a parent or quardian. (2) This chapter may not be construed as conferring 18 any authority to practice medicine, surgery, or any combination thereof; to confer any authority to practice any of the healing arts prescribed by law to be practiced in the 21 22 state of Montana; or to permit any person to undertake the 23 treatment of disease by any of the methods employed in those 24 arts unless the licensee has been qualified under the

applicable law or laws licensing the practice of those

-2- SE 186 SECOND READING

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1 professions or healing arts in the state of Montana."

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lenster BILL NO. 186 1 INTRODUCED BY Nomen 2 BY REQUEST OF THE DEPARTMENT OF 3 SOCIAL AND REHABILITATION SERVICES 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW LICENSED 5 FOSTER PARENTS OF MINOR CHILDREN TO ADMINISTER CERTAIN TYPES 6 OF MEDICATIONS; AMENDING SECTION 37-8-103. MCA." 7 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 Section 1. Section 37-8-103, MCA, is amended to read: 10 #37-8-103. Exemptions -- limitations on authority 11 conferred. (1) No provisions of this law may be construed as 12 prohibiting: 13 (a) gratuitous nursing by friends or members of the 14 family: 15 (b) incidental care of the sick by domestic servants 16 or persons primarily employed as housekeepers; 17 (c) nursing assistance in the case of an emergency; 18 (d) the practice of nursing by students enrolled in 19 approved schools of nursing or approved courses or by the 20 graduates of such schools or courses pending the results of 21 the first licensing examination scheduled by the board 22 following their graduation; 23 (e) the practice of nursing in this state by any 24

legally qualified nurse of another state whose engagement 1 requires the nurse to accompany and care for a patient 2 temporarily residing in this state during the period of one 3 such engagement not to exceed 6 months in length, provided that person does not represent or hold herself or himself 5 out to be a nurse licensed to practice in this state; 6 (f) the practice of any legally qualified nurse of 7 another state who is employed by the United States * government or any bureau, division, or agency thereof while 9 in the discharge of that nurse's official duties; 10 (g) nursing or care of the sick, with or without 11 compensation, when done in connection with the practice of 12 the religious tenets of any well-established religion or 13 14 denomination by adherents thereofwi (h) pursing or care of a misor who is in the care of a 15 licensed foster parents to the same extent such care may be 16 provided by a parent or guardian. 17 (2) This chapter may not be construed as conferring 18 19 any authority to practice medicine, surgery, or any combination thereof: to confer any authority to practice any 20 of the healing arts prescribed by law to be practiced in the 21 state of Montana; or to permit any person to undertake the 22 treatment of disease by any of the methods employed in those 23 arts unless the licensee has been qualified under the 24 applicable law or laws licensing the practice of those 25

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1 professions or healing arts in the state of Montana.*

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ı	SENATE BILL NO. 186
2	INTRODUCED BY NORMAN
3	BY REQUEST OF THE DEPARTMENT OF
4	SOCIAL AND REHABILITATION SERVICES
5	A BILL FUR AN ACT ENTITLED: MAN ACT TO ALLOW LICENSED
6	FOSTER PARENTS OF MINOR CHILDREN TO ADMINISTER CERTAIN TYPES
7	OF MEDICATIONS; AMENDING SECTION 37-8-103, MCA."
8	
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10	Section 1. Section 37-8-103. NCA, is amended to read:
11	*37-8-103. Exemptions limitations on authority
12	conferred. (1) No provisions of this law may be construed as
13	prohibiting:
14	(a) gratuitous nursing by friends or members of the
15	family;
16	(b) incidental care of the sick by domestic servants
17	or persons primarily employed as housekeepers;
18	(c) nursing assistance in the case of an emergency;
19	(d) the practice of nursing by students enrolled in
20	approved schools of nursing or approved courses or by the

21 graduates of such schools or courses pending the results of 22 the first licensing examination scheduled by the board 23 following their graduation;

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legally qualified nurse of another state whose engagement 1 2 requires the nurse to accompany and care for a patient 3 temporarily residing in this state during the period of one 4 such engagement not to exceed 6 months in length, provided that person does not represent or hold herself or himself 5 6 out to be a nurse licensed to practice in this state; 7 (f) the practice of any legally qualified nurse of 8 another state who is employed by the United States 9 government or any bureau, division, or agency thereof while 10 in the discharge of that nurse's official duties; 11 (q) nursing or care of the sick, with or without 12 compensation, when done in connection with the practice of 13 the religious tenets of any well-established religion or 14 denomination by adherents thereofwi 15 1b) <u>nursing or care of a minor who is in the care of a</u> licensed_foster_parents_to_the_same_extent_such_care_may_be 16 17 provided_by_a_parent_or_guardian. 18 (2) This chapter may not be construed as conferring 19 any authority to practice medicine, surgery, or any 20 combination thereof; to confer any authority to practice any 21 of the healing arts prescribed by law to be practiced in the 22 state of Montana; or to permit any person to undertake the treatment of disease by any of the methods employed in those 23 24 arts unless the licensee has been qualified under the 25 applicable law or laws licensing the practice of those

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REFERENCE BILL

SB 186

SB 0186/02

1 professions or healing arts in the state of Montana.*

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