

House Bill 249

In The House

January 15, 1981	Introduced and referred to Committee on Human Services.
February 7, 1981	Committee recommend bill do pass as amended.
February 9, 1981	Bill printed and placed on members' desks.
February 10, 1981	Second reading pass consideration until February 11, 1981.
February 11, 1981	Second reading do pass.
February 12, 1981	Correctly engrossed.
February 13, 1981	Third reading not passed.

1 HOUSE BILL NO. 249
2 INTRODUCED BY *Mendham Robert Roth Nussant*

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A
5 HEMOPHILIA TREATMENT PROGRAM; CREATING A HEMOPHILIA ADVISORY
6 COMMITTEE; AND PROVIDING AN APPROPRIATION."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Purpose. It is the intent of the
10 legislature to establish a program for the care and
11 treatment of persons who require blood and blood products
12 for hemophilia and related diseases, including factor VIII,
13 factor IX, and Van Willebrand's, but who are unable to pay
14 for the services on a continuing basis.

15 Section 2. Definitions. As used in [this act], the
16 following definitions apply:

17 (1) "Committee" means the hemophilia advisory
18 committee established in [section 5].

19 (2) "Department" means the department of health and
20 environmental sciences.

21 (3) "Director" means the director of the department of
22 health and environmental sciences.

23 (4) "Hemophilia" means a bleeding disorder resulting
24 from a genetically determined deficiency factor in the blood
25 or a hereditary abnormal or deficient plasma procoagulant.

1 Section 3. Establishment of program. A hemophilia
2 treatment program is established in this state to be
3 administered by the department of health and environmental
4 sciences. The treatment program shall assist those persons
5 who require continuing treatment with blood and blood
6 products and the administration of blood and blood products
7 to avoid crippling, hospitalization, or other effects
8 associated with hemophilia but who are unable to pay for the
9 entire cost of such services on a continuing basis.

10 Section 4. Duties of department. The duties of the
11 department, with the advice of the committee, include:

12 (1) developing standards for determining eligibility
13 for the care and treatment of persons suffering from
14 hemophilia and related diseases;

15 (2) assisting in development and expansion of programs
16 for the care and treatment of persons suffering from
17 hemophilia and related diseases;

18 (3) extending financial assistance to persons of any
19 age who suffer from hemophilia or related diseases for the
20 purpose of obtaining blood and blood products and other
21 efficacious agents that may be used at home, in a hospital,
22 or in a medical or dental facility, including the
23 administration of such blood and blood products;

24 (4) instituting and carrying on community educational
25 programs for the detection of hemophilia and for the

1 counseling of individuals and families who suffer from
2 hemophilia and related diseases;

3 (5) conducting educational programs for physicians,
4 dentists, hospitals, county health departments, and the
5 public concerning the methods of care and treatment for
6 persons suffering from hemophilia and related diseases.

7 Section 5. Eligibility determination -- exception. For
8 the purpose of determining eligibility for financial
9 assistance, the department shall use the criteria
10 established for crippled children under Title V of the
11 Social Security Act, except the age criteria may be applied
12 only when there is insufficient funding to provide financial
13 assistance to all persons who suffer from hemophilia or
14 related diseases. Whenever there is insufficient funding,
15 priority shall be given to persons under 18 years of age.

16 Section 6. Hemophilia advisory committee. (1) There is
17 a hemophilia advisory committee for the purpose of advising
18 and consulting with the director in the administration of
19 [sections 1 through 5].

20 (2) The committee consists of the director as ex
21 officio chairman and 12 members appointed by the director
22 from the following constituency groups, none of which shall
23 be represented on the committee by more than four members:

- 24 (a) voluntary agencies interested in hemophilia;
25 (b) medical specialists in hemophilia patient care;

1 (c) consumers of hemophilia treatment;

2 (d) the general public.

3 (3) Each member shall serve a term of 4 years, except
4 that initial terms are as follows:

5 (a) Two members shall be appointed for 1 year.

6 (b) Four members shall be appointed for 2 years.

7 (c) Four members shall be appointed for 3 years.

8 (d) Two members shall be appointed for 4 years.

9 (4) The director shall fill any vacancy on the
10 committee by appointing a new member from the same
11 constituency group represented by the vacating member.

12 Section 7. Committee meetings -- report --
13 reimbursement. (1) The committee will meet on call of the
14 director not less than twice a year. The director shall give
15 a semiannual report to the committee detailing the plans and
16 activities of the department concerning the hemophilia
17 treatment program.

18 (2) Members of the committee shall receive expenses
19 for the performance of committee duties as provided for in
20 2-18-501 through 2-18-503.

21 Section 8. Appropriation. There is appropriated from
22 the general fund \$283,200 to the department of health and
23 environmental sciences for the biennium ending June 30,
24 1983, for the purpose of establishing a hemophilia treatment
25 program.

-End-

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1 STATEMENT OF INTENT

2 HOUSE BILL 249

3 House Human Services Committee

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A statement of intent is needed for HB 249 because section 4 calls for development of standards for determining eligibility for care and treatment. It is the intent of the legislature that the criteria in section 5 of the bill be used primarily in determining eligibility for the treatment program established by this bill. Further, the intent of this bill is to help those who already have expended their own resources to help themselves. It is understood that the costs of treatment for hemophilia and related diseases are very high and that the resources of an individual or family may very easily be depleted in an attempt to combat the disease. The program, then, is intended to prevent the impoverishment of families and individuals suffering from the diseases. Individuals and families who have made efforts to help themselves are intended to be covered while those who have not made such efforts are not.

Approved by Comm. On Human Services

HOUSE BILL NO. 249

INTRODUCED BY MENAHAN, KOLSTAD, ROTH, DUSSAULT

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A HEMOPHILIA TREATMENT PROGRAM; CREATING A HEMOPHILIA ADVISORY COMMITTEE; AND PROVIDING AN APPROPRIATION."

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

Section 1. Purpose. It is the intent of the legislature to establish a program for the care and treatment of persons who require blood and blood products for hemophilia and related diseases, including factor VIII, factor IX, and Van Willebrand's, but who are unable to pay for the services on a continuing basis.

Section 2. Definitions. As used in [this act], the following definitions apply:

(1) "Committee" means the hemophilia advisory committee established in [section 6].

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

(3) "Director" means the director of the department of health and environmental sciences.

(4) "Hemophilia" means a bleeding disorder resulting from a genetically determined deficiency factor in the blood or a hereditary abnormal or deficient plasma procoagulant.

Section 3. Establishment of program. A hemophilia treatment program is established in this state to be administered by the department of health and environmental sciences. The treatment program shall assist those persons who require continuing treatment with blood and blood products and the administration of blood and blood products to avoid crippling, hospitalization, or other effects associated with hemophilia but who are unable to pay for the entire cost of such services on a continuing basis.

Section 4. Duties of department. The duties of the department, with the advice of the committee, include:

(1) developing standards for determining eligibility for the care and treatment of persons suffering from hemophilia and related diseases;

(2) assisting in development and expansion of programs for the care and treatment of persons suffering from hemophilia and related diseases;

(3) extending financial assistance to persons of any age who suffer from hemophilia or related diseases for the purpose of obtaining blood and blood products and other efficacious agents that may be used at home, in a hospital, or in a medical or dental facility, including the administration of such blood and blood products;

(4) instituting and carrying on community educational programs for the detection of hemophilia and for the

1 counseling of individuals and families who suffer from
2 hemophilia and related diseases;

3 (5) conducting educational programs for physicians,
4 dentists, hospitals, county health departments, and the
5 public concerning the methods of care and treatment for
6 persons suffering from hemophilia and related diseases.

7 Section 5. Eligibility determination -- exception. For
8 the purpose of determining eligibility for financial
9 assistance, the department shall use the criteria
10 established for crippled children under Title V of the
11 Social Security Act, except the age criteria may be applied
12 only when there is insufficient funding to provide financial
13 assistance to all persons who suffer from hemophilia or
14 related diseases. Whenever there is insufficient funding,
15 priority shall be given to persons under 18 years of age.

16 Section 6. Hemophilia advisory committee. (1) There is
17 a hemophilia advisory committee for the purpose of advising
18 and consulting with the director in the administration of
19 [sections 1 through 5].

20 (2) The committee consists of the director as ex
21 officio chairman and ~~12~~ FIVE members appointed by the
22 director from the following constituency groups, ~~none of~~
23 ~~which shall be represented on the committee by more than~~
24 ~~four members:~~

25 (a) voluntary agencies interested in hemophilia, ONE

1 MEMBER APPOINTED FOR 3 YEARS;

2 (b) medical specialists in hemophilia patient care;

3 ONE MEMBER APPOINTED FOR 3 YEARS;

4 (c) consumers of hemophilia treatment, ONE MEMBER
5 APPOINTED FOR 4 YEARS;

6 (d) the general public, TWO MEMBERS APPOINTED FOR 3
7 YEARS EACH.

8 ~~(3) -- Each member shall serve a term of 4 years, except~~
9 ~~that initial terms are as follows:~~

10 ~~(a) -- Two members shall be appointed for 1 year.~~

11 ~~(b) -- Four members shall be appointed for 2 years.~~

12 ~~(c) -- Four members shall be appointed for 3 years.~~

13 ~~(d) -- Two members shall be appointed for 4 years.~~

14 ~~(4) (3)~~ The director shall fill any vacancy on the
15 committee by appointing a new member from the same
16 constituency group represented by the vacating member.

17 Section 7. Committee meetings -- report --
18 reimbursement. (1) The committee will meet on call of the
19 director not less than twice a year. The director shall give
20 a semiannual report to the committee detailing the plans and
21 activities of the department concerning the hemophilia
22 treatment program.

23 (2) Members of the committee shall receive expenses
24 for the performance of committee duties as provided for in
25 2-18-501 through 2-18-503.

1 Section 8v--Appropriation---There is appropriated from
2 the general fund \$283v288 to the department--of--health--and
3 environmental--sciences--for--the--biennium--ending--June--30v
4 1983v--for--the--purpose--of--establishing--a--hemophilia--treatment
5 programv

-End-

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1 STATEMENT OF INTENT

2 HOUSE BILL 249

3 House Human Services Committee

4

5 A statement of intent is needed for HR 249 because
6 section 4 calls for development of standards for determining
7 eligibility for care and treatment. It is the intent of the
8 legislature that the criteria in section 5 of the bill be
9 used primarily in determining eligibility for the treatment
10 program established by this bill. Further, the intent of
11 this bill is to help those who already have expended their
12 own resources to help themselves. It is understood that the
13 costs of treatment for hemophilia and related diseases are
14 very high and that the resources of an individual or family
15 may very easily be depleted in an attempt to combat the
16 disease. The program, then, is intended to prevent the
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