

House Bill 419

In The House

January 22, 1981

Introduced and referred
to Committee on Human
Services.

February 2, 1981

Committee recommend bill
do not pass.

1 HOUSE BILL NO. 419
2 INTRODUCED BY Walton

3 BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE AND
6 CLARIFY DEFINITIONS RELATING TO ALCOHOLISM AND DRUG
7 DEPENDENCE CONTAINED IN SECTION 53-24-103, MCA."

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

10 Section 1. Section 53-24-103, MCA, is amended to read:

11 "53-24-103. Definitions. For purposes of this chapter,
12 the following definitions apply:

13 (1) "Alcoholic" means a person who has a chronic
14 illness or disorder of behavior characterized by repeated
15 drinking of alcoholic beverages to the extent that it
16 endangers the health, interpersonal relationships, or
17 economic function of the individual or public health,
18 welfare, or safety.

19 (2) "Approved private treatment facility" means a
20 private--nonprofit ~~an agency receiving public funds whose~~
21 function is the treatment, rehabilitation, and prevention of
22 alcoholism ~~and or drug dependence~~, meeting the standards
23 prescribed in 53-24-208(1) and approved under 53-24-208.

24 ~~(3) "Approved public treatment facility" means~~
25 ~~(a) a treatment agency operating under the direction~~

1 ~~and control of the department as a state agency and approved~~
2 ~~under 53-24-208; or~~

3 ~~(b) a treatment agency operating under the direction~~
4 ~~and control of a local government and approved under~~
5 ~~53-24-208.~~

6 (4)(3) "Department" means the department of
7 institutions provided for in 2-15-2301.

8 (5)(4) "Family member" is the spouse, mother, father,
9 child, or member of the household of an alcoholic whose life
10 has been affected by the actions of the alcoholic and may
11 require treatment.

12 (6)(5) "Incapacitated by alcohol" means that a person,
13 as a result of the use of alcohol, is unconscious or has his
14 judgment otherwise so impaired that he is incapable of
15 realizing and making a rational decision with respect to his
16 need for treatment.

17 (7)(6) "Incompetent person" means a person who has
18 been adjudged incompetent by the district court.

19 (8)(7) "Intoxicated person" means a person whose
20 mental or physical functioning is substantially impaired as
21 a result of the use of alcohol.

22 (9)(8) "Prevention" has meaning on four levels; these
23 are:

24 (a) education to provide information to the school
25 children and general public relating to alcohol dependence

1 ~~and alcoholism treatment and rehabilitative services and~~
 2 ~~to reduce the consequences of life experiences acquired by~~
 3 ~~contact with an alcoholic;~~

4 ~~(b) early detection and recovery from the illness~~
 5 ~~before lasting emotional or physical damage or both have~~
 6 ~~occurred;~~

7 ~~(c) if lasting emotional or physical damage or both~~
 8 ~~have occurred, to arrest the illness before full disability~~
 9 ~~has been reached;~~

10 ~~(d) the provision of facility requirements to meet~~
 11 ~~division program standards and improve public accessibility~~
 12 ~~for services;~~

13 (a) information programs designed to provide accurate,
 14 honest, and timely information about legal and illegal
 15 substances of abuse;

16 (b) education programs designed to enhance social
 17 competency and thereby change the conditions that reinforce
 18 substance abuse behavior;

19 (c) alternative programs based on the theory that
 20 participation in activities that foster a positive awareness
 21 of self and others and that offer exposure to a wide range
 22 of enjoyable and rewarding nondrug activities will deter
 23 substance abuse;

24 (d) intervention programs to help individuals and
 25 groups assess their problems and seek solutions to them.

1 ~~(10)(2)~~ "Treatment" means the broad range of emergency,
 2 outpatient, intermediate, and inpatient services and care,
 3 including diagnostic evaluation, medical, psychiatric,
 4 psychological, and social service care, vocational
 5 rehabilitation, and career counseling, which may be extended
 6 to alcoholics, intoxicated persons, and family members."

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