

HOUSE BILL NO. 8

(First Special Session)

INTRODUCED BY WINSLOW

BY REQUEST OF THE DEPARTMENT OF  
HEALTH AND ENVIRONMENTAL SCIENCES

IN THE HOUSE

November 16, 1981	Introduced and referred to Committee on Human Services.
November 18, 1981	Committee recommend bill do pass. Report adopted.
	Bill printed and placed on members' desks.
November 19, 1981	Second reading, do pass. Ayes, 61; Noes, 38.
	Considered correctly engrossed.
	On motion rules suspended and bill placed on third reading this day.
	Third reading, passed. Ayes, 60; Noes, 38. Transmitted to Senate.

IN THE SENATE

November 19, 1981	Introduced and referred to Committee on Finance and Claims.
November 21, 1981	Committee recommend bill be concurred in. Report adopted.

November 23, 1981

Second reading, concurred in.

On motion rules suspended. Bill placed on calendar for third reading this day.

Third reading, concurred in.

IN THE HOUSE

November 23, 1981

Returned from Senate. Concurred in. Sent to enrolling.

Reported correctly enrolled.

House BILL NO. 8 (SSI)

2 INTRODUCED BY Health  
3 BY REQUEST OF THE DEPARTMENT OF  
4 HEALTH AND ENVIRONMENTAL SERVICES

6 A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE INTERVALS  
7 BETWEEN INSPECTION OF LICENSED HEALTH CARE FACILITIES FROM 1  
8 TO 3 YEARS; TO REQUIRE REPORTS FROM FACILITIES APPLYING FOR  
9 LICENSE RENEWAL IN ORDER TO DOCUMENT THAT THEY MET MINIMUM  
10 STANDARDS; AMENDING SECTION 50-5-204, MCA; AND PROVIDING AN  
11 EFFECTIVE DATE."

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

1 which home health agencies must meet in order to be licensed  
2 shall be as outlined in 42 U.S.C. 1395 et seq., as amended; and  
3 in rules implementing it which add minimum standards.

4                   (2) The department must inspect a new facility before  
5                   an initial license is granted.

6           131. An application for renewal of a license must be  
7   accompanied by a report on forms provided by the  
8   department containing such information as the department  
9   considers necessary to determine whether minimum standards  
10   are being met.

11 (4) The department may inspect a licensed health care  
12 facility whenever it considers it necessary and shall  
13 inspect each licensed facility at least once within the 3  
14 years following the date of its last inspection.

15 ~~licensed~~ The entire premises of a licensed  
16 facility shall be open to inspection, and access to all  
17 records shall be granted at all reasonable times."

18 Section 2. Saving clause. This act does not affect  
19 rights and duties that matured, penalties that were  
20 incurred, or proceedings that were begun before the  
21 effective date of this act.

22       Section 3. Severability. If a part of this act is  
23 invalid, all valid parts that are severable from the invalid  
24 part remain in effect. If a part of this act is invalid in  
25 one or more of its applications, the part remains in effect

1 in all valid applications that are severable from the  
2 invalid applications.

3 Section 4. Effective date. This act is effective on  
4 January 1, 1992.

-End-

Approved by Comm. On Human Services

1 House BILL NO. 8 (SSI) Special Session  
2 INTRODUCED BY Winston  
3 BY REQUEST OF THE DEPARTMENT OF  
4 HEALTH AND ENVIRONMENTAL SERVICES  
5  
6 A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE INTERVALS  
7 BETWEEN INSPECTION OF LICENSED HEALTH CARE FACILITIES FROM 1  
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10 STANDARDS; AMENDING SECTION 50-5-204, MCA; AND PROVIDING AN  
11 EFFECTIVE DATE."

**13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA**

1 which home health agencies must meet in order to be licensed  
2 shall be as outlined in 42 U.S.C. 1395 x(o), as amended, and  
3 in rules implementing it which add minimum standards.

4 (2) The department must inspect a new facility before  
5 an initial license is granted.

6 (3) An application for renewal of a license must be  
7 accompanied by a report on forms provided by the  
8 department, containing such information as the department  
9 considers necessary to determine whether minimum standards  
10 are being met.

11 (4) The department may inspect a licensed health care  
12 facility whenever it considers it necessary and shall  
13 inspect each licensed facility at least once within the 3  
14 years following the date of its last inspection.

15 ~~127--~~ licensed The entire premises of a licensed  
16 facility shall be open to inspection, and access to all  
17 records shall be granted at all reasonable times."

18 Section 2. Saving clause. This act does not affect  
19 rights and duties that matured, penalties that were  
20 incurred, or proceedings that were begun before the  
21 effective date of this act.

22 Section 3. Severability. If a part of this act is  
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25 one or more of its applications, the part remains in effect

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2 invalid applications.

3 Section 4. Effective date. This act is effective on  
4 January 1, 1982.

-End-

House BILL NO. 8 (SSI) Special Session

2 INTRODUCED BY Whistler  
3 BY REQUEST OF THE DEPARTMENT OF  
4 HEALTH AND ENVIRONMENTAL SERVICES

6 A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE INTERVALS  
7 BETWEEN INSPECTION OF LICENSED HEALTH CARE FACILITIES FROM 1  
8 TO 3 YEARS; TO REQUIRE REPORTS FROM FACILITIES APPLYING FOR  
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13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

1 which home health agencies must meet in order to be licensed  
2 shall be as outlined in 42 U.S.C. 1395 x(o), as amended, and  
3 in rules implementing it which add minimum standards.

4           (2) The department must inspect a new facility before  
5           an initial license is granted.

11       14) The department may inspect a licensed health care  
12 facility whenever it considers it necessary and shall  
13 inspect each licensed facility at least once within the 3  
14 years following the date of its last inspection.

15        ~~to~~ licensed the entire premises of a licensed  
16 facility shall be open to inspection, and access to all  
17 records shall be granted at all reasonable times."

8           Section 2. Saving clause. This act does not affect  
9       rights and duties that matured, penalties that were  
10      incurred, or proceedings that were begun before the  
11      effective date of this act.

22       Section 3. Severability. If a part of this act is  
23 invalid, all valid parts that are severable from the invalid  
24 part remain in effect. If a part of this act is invalid in  
25 one or more of its applications, the part remains in effect

1 in all valid applications that are severable from the  
2 invalid applications.

3 Section 4. Effective date. This act is effective on  
4 January 1, 1982.

-End-

HOUSE BILL NO. 8 (1st SS)  
INTRODUCED BY WINSLOW  
BY REQUEST OF THE DEPARTMENT OF  
HEALTH AND ENVIRONMENTAL SCIENCES

6 A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE INTERVALS  
7 BETWEEN INSPECTION OF LICENSED HEALTH CARE FACILITIES FROM 1  
8 TO 3 YEARS; TO REQUIRE REPORTS FROM FACILITIES APPLYING FOR  
9 LICENSE RENEWAL IN ORDER TO DOCUMENT THAT THEY MET MINIMUM  
10 STANDARDS; AMENDING SECTION 50-5-204, MCA; AND PROVIDING AN  
11 EFFECTIVE DATE."

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

14                   Section 1. Section 50-5-204, MCA, is amended to read:

15                   "50-5-204. Issuance and renewal of licenses ==

16                   inspections. (1) On After receipt of a new or renewal

17                   application and a determination by the department or its

18                   authorized agent shall inspect the facility --- if the

19                   facility meets minimum standards are met and the proposed or

20                   existing staff is qualified, the department shall issue a

21                   license for 1 year. If minimum standards are not met, the

22                   department may issue a provisional license for less than 1

23                   year if operation will not result in undue hazard to

24                   patients or residents or if the demand for accommodations

25                   offered is not met in the community. The minimum standards

1 which home health agencies must meet in order to be licensed  
2 shall be as outlined in 42 U.S.C. 1395 x(o), as amended, and  
3 in rules implementing it which add minimum standards.  
4 121. The department must inspect a new facility before  
5 an initial license is granted.

6            (3) An application for renewal of a license must be  
7    accompanied by a report on forms provided by the  
8    department containing such information as the department  
9    considers necessary to determine whether minimum standards  
0    are being met.

1            (4) The department may inspect a licensed health care  
2 facility whenever it considers it necessary and shall  
3 inspect each licensed facility at least once within the 3  
4 years following the date of its last inspection.

5            ~~licensed~~    The entire    premises    of    a    licensed  
6    facility    shall    be    open    to    inspection,    and    access    to    all  
7    records    shall    be    granted    at    all    reasonable    times."

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9   rights and duties that matured, penalties that were  
10   incurred, or proceedings that were begun before the  
11   effective date of this act.

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25 one or more of its applications, the part remains in effect

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4 January 1, 1982.

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