

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 concurrent 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)

INTRODUCED BY _____
BY REQUEST OF THE DEPARTMENT OF
HEALTH AND ENVIRONMENTAL SERVICES

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

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

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

"50-5-204. Issuance and renewal of licenses == inspections. (1) On After receipt of a new or renewal application and a determination by the department or its authorized agent shall inspect the facility, if that the facility meets minimum standards are met and the proposed or existing staff is qualified, the department shall issue a license for 1 year. If minimum standards are not met, the department may issue a provisional license for less than 1 year if operation will not result in undue hazard to patients or residents or if the demand for accommodations offered is not met in the community. The minimum standards

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

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

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

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

~~(2) Licensed~~ The entire premises of a licensed facility shall be open to inspection, and access to all records shall be granted at all reasonable times."

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

Section 3. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in 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 (SSZ) Special Session
 2 INTRODUCED BY Winters
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