

SENATE BILL NO. 209

INTRODUCED BY DOVER, SCHULTZ

BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS

IN THE SENATE

January 19, 1983	Introduced and referred to Committee on Public Health, Welfare and Safety.
February 3, 1983	Committee recommend bill do pass as amended. Report adopted.
	Statement of Intent attached.
February 4, 1983	Bill printed and placed on members' desks.
February 7, 1983	Second reading, do pass.
February 8, 1983	Correctly engrossed.
February 9, 1983	Third reading, passed. Ayes, 49; Noes, 0. Transmitted to House.

IN THE HOUSE

February 10, 1983	Introduced and referred to Committee on Human Services.
March 11, 1983	Committee recommend bill be concurred in. Report adopted.
March 12, 1983	Second reading, concurred in.
March 14, 1983	Third reading, concurred in.

IN THE SENATE

March 15, 1983

Returned to Senate. Sent to  
enrolling.

Reported correctly enrolled.

1 *Senate* BILL NO. 209  
2 INTRODUCED BY *Don Schuck*  
3 BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS  
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE CRITERIA FOR  
6 ADMISSIONS TO THE MONTANA CENTER FOR THE AGED; REVISING THE  
7 TRANSFER AND DISCHARGE PROCEDURE; AMENDING SECTIONS  
8 53-21-411 THROUGH 53-21-413, MCA."  
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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 53-21-411, MCA, is amended to read:

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13 institution located at Lewistown is the Montana center for  
14 the aged. The primary function of the center is the care and  
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17 ~~from Warm Springs state hospital and---subsequently~~  
18 ~~transferred to the center or Galen state hospital."~~

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21 and Galen hospitals and center. With the approval of the  
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24 the state hospital. With the approval of the department, the  
25 state hospital may transfer a patient residing at the center

1 to Galen state hospital. ~~Unless a medical or psychiatric~~  
2 ~~emergency exists, 15 days prior to the transfer the~~  
3 ~~department shall notify the patient's parent, guardian, or~~  
4 ~~spouse or, if none is known, his nearest relative or friend.~~  
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6 ~~send notice within 72 hours after the time of transfer."~~

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12 convalescent status of a patient residing at the center  
13 under the same restrictions provided by law for the  
14 discharge and release or convalescent status of patients of  
15 the state hospital."

16 NEW SECTION. Section 4. Admissions. Appropriate  
17 admissions to the Montana center for the aged are persons  
18 unable to maintain themselves in their homes or communities  
19 due to mild psychiatric impairments associated with the  
20 aging process but who do not require the intensity of  
21 treatment available at Warm Springs or Galen state hospital.

22 NEW SECTION. Section 5. Codification instruction.  
23 Section 4 is intended to be codified as an integral part of  
24 Title 53, chapter 21, part 4, and the provisions of Title  
25 53, chapter 21, part 4, apply to section 4.

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-2- INTRODUCED BILL

SB 209

## 1 STATEMENT OF INTENT

## 2 SENATE BILL 209

## 3 Senate Public Health Committee

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5 The Department of Institutions is requesting  
6 legislation that would clarify the role of the Montana  
7 Center for the Aged in Lewistown and provide for an  
8 admission procedure.

9 The Department of Institutions is requesting  
10 legislative authority under rulemaking provisions that it be  
11 given clear rulemaking authority for the admission criteria  
12 of persons who are unable to maintain themselves in the  
13 community due to the aging process.

14 Criteria that would be considered under the rulemaking  
15 authority include:

16 (a) consideration of persons's age,

17 (b) consideration of person's mental and physical  
18 status, specifically as it relates to mild psychiatric  
19 impairments, senility, and other organic symptoms,

20 (c) consideration of ability of Center for the Aged to  
21 meet with person's needs,

22 (d) consideration of person's sex as relates to  
23 availability of appropriate living space,

24 (e) consideration of person's ability to ambulate  
25 without special devices or physical assistance,

1 (f) voluntary admissions.

2 Specifically this rulemaking authority should give the  
3 Department the ability to adopt rules indicating the type of  
4 medical and mental illnesses involved, the evaluation and  
5 diagnosis process of mental health professionals and  
6 physicians.

7 Standards for determining the programs that will be  
8 provided for residents at the Center for the Aged.

9 Specific criteria relative to transfers necessary to  
10 other facilities and, discharge criteria, if any, from the  
11 institution, if needed. It is the intention that these rules  
12 make it very clear that acute psychiatric problems are not  
13 to be used for admission to the Center for the Aged.

SECOND READING

Approved by Committee  
on Public Health, Welfare  
& Safety

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~~send notice within 72 hours after the time of transfer,~~  
~~UNLESS A MEDICAL OR PSYCHIATRIC EMERGENCY EXISTS, 15 DAYS~~  
~~BEFORE THE TRANSFER, THE DEPARTMENT SHALL NOTIFY THE~~  
~~PATIENT'S PARENT, GUARDIAN, OR SPOUSE OR, IF NONE IS KNOWN,~~  
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~~NEW SECTION.~~ Section 4. Admissions. Appropriate  
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due to mild psychiatric impairments associated with the

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2 treatment available at Warm Springs or Galen state hospital.

3 ~~NEW SECTION.~~ Section 5. Codification instruction.  
4 Section 4 is intended to be codified as an integral part of  
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