

HOUSE BILL NO. 455

1/23 Introduced
1/23 Referred to Human Services & Aging
1/24 Fiscal Note Requested
1/28 Fiscal Note Received
2/04 Died in Committee

1 HOUSE BILL NO. 455
 2 INTRODUCED BY *W. J. ...*
 3 BY REQUEST OF THE DEPARTMENT OF SOCIAL AND
 4 REHABILITATION SERVICES

5
 6 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THAT
 7 PAYMENTS FOR GENERAL RELIEF MEDICAL SERVICES BE CONSIDERED
 8 PAYMENT IN FULL; AMENDING SECTION 53-3-103, MCA; AND
 9 PROVIDING AN EFFECTIVE DATE."

10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 53-3-103, MCA, is amended to read:

13 "53-3-103. Medical aid and hospitalization for
 14 indigent. (1) Except as provided in other parts of this
 15 title, medical aid and hospitalization for county residents
 16 and nonresidents within the county unable to provide these
 17 necessities for themselves are the legal and financial
 18 responsibility of the county commissioners and are payable
 19 from the county poor fund. The county commissioners shall
 20 make provisions for competent and skilled medical or
 21 surgical services. "Medical" or "medicine" as used in this
 22 section refers to the healing art as practiced by licensed
 23 practitioners.

24 (2) The board, in arranging for medical care for those
 25 unable to provide it for themselves, may have the care

1 provided by physicians appointed by the board who shall be
 2 known as county physicians or deputy county physicians and
 3 may fix a rate of compensation for the furnishing of the
 4 medical attendance.

5 (3) The department may promulgate rules to determine
 6 under what circumstances persons in the county are unable to
 7 provide medical aid and hospitalization for themselves,
 8 including the power to define the term "medically needy".
 9 However, the definition may not allow payment by a county
 10 for general assistance--medical for persons whose income
 11 exceeds 300% of the limitation for obtaining regular county
 12 general relief assistance or for persons who are eligible
 13 for medicaid in accordance with Title 53, chapter 6, part 1,
 14 or for persons who have the right or are entitled to medical
 15 aid and hospitalization from the federal government or any
 16 agency thereof.

17 (4) Whenever a provider of hospital or medical
 18 services accepts payment for its services from the state or
 19 a county under the provisions of this part, the payment must
 20 be considered as payment in full for such services.

21 ~~(4)~~(5) In any case where the county or state pays
 22 medical expenses or hospitalization for an individual, the
 23 county or state is subrogated to the claims of the physician
 24 or hospital to the extent of payment. To the extent
 25 necessary for reimbursement of medical benefits paid to or

1 on behalf of an individual, the county or state is
2 subrogated to the rights of the individual to recover from a
3 third party who may be liable to pay the medical expenses.
4 The provisions of 53-2-612 which relate to medical benefits
5 provided under Title XIX or XX of the Social Security Act
6 apply to medical benefits provided for in this section."

7 NEW SECTION. Section 2. Extension of authority. Any
8 existing authority of the department of social and
9 rehabilitation services to make rules on the subject of the
10 provisions of this act is extended to the provisions of this
11 act.

12 NEW SECTION. Section 3. Effective date. This act is
13 effective July 1, 1985.

-End-

STATE OF MONTANA
FISCAL NOTE

REQUEST NO. FNN 200-85

Form BD-15

In compliance with a written request received January 24 19 85, there is hereby submitted a Fiscal Note for H.B. 455 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

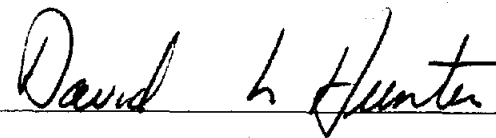
This bill would require all medical providers to accept as payment in full, those payments made by State Medical and County Medical.

ASSUMPTIONS:

1. Some medical providers are currently charging clients the portion of their bills not paid by State Medical and County Medical.
2. This unpaid portion is not an obligation of the state and/or County.
3. The only party at risk of payment is the client.
4. This proposal is consistent with the current rules and regulations in Medicaid.

FISCAL IMPACT:

None.



BUDGET DIRECTOR
Office of Budget and Program Planning

Date:

JAN 28, 1985
HB 455