

HOUSE BILL NO. 472

INTRODUCED BY BRADLEY, J. BROWN

BY REQUEST OF THE DEPARTMENT OF HEALTH AND
ENVIRONMENTAL SCIENCES

IN THE HOUSE

January 25, 1985	Introduced and referred to Committee on Human Services and Aging.
January 26, 1985	Fiscal Note requested.
January 28, 1985	Fiscal Note returned.
February 23, 1985	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
February 25, 1985	Second reading, do pass. Considered correctly engrossed.
February 27, 1985	Third reading, passed. Transmitted to Senate.

IN THE SENATE

March 5, 1985	Introduced and referred to Committee on Public Health, Welfare and Safety.
March 29, 1985	Committee recommend bill be concurrred in. Report adopted.
March 30, 1985	Second reading, concurrred in.

April 1, 1985

Third reading, concurred in.
Ayes, 43; Noes, 4.

Returned to House.

IN THE HOUSE

April 2, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

HOUSE BILL NO. 472

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ENVIRONMENTAL SCIENCES

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING LICENSED HEALTH CARE FACILITIES TO BE INSPECTED ANNUALLY; DELETING THE REQUIREMENT THAT FACILITIES APPLYING FOR LICENSE RENEWAL SUBMIT REPORTS DOCUMENTING THAT THEY MEET MINIMUM STANDARDS; AMENDING SECTION 50-5-204, MCA."

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) After receipt of a new or renewal application, and a determination by the department or its authorized agent shall inspect the facility.

(2) If the department determines that the facility meets minimum standards and the proposed or existing staff is qualified, the department shall issue a license for 1 year.

(3) 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.

(4) The minimum standards which home health agencies must meet in order to be licensed shall ~~must~~ 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)(5) 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. The entire premises of a licensed facility shall ~~must~~ be open to inspection, and access to all records shall ~~must~~ be granted at all reasonable times."

NEW SECTION. Section 2. Extension of authority. Any existing authority of the department of health and environmental sciences to make rules on the subject of the provisions of this act is extended to the provisions of this act.

NEW SECTION. Section 3. Saving clause. This act does



LC 1447/01

1 not affect rights and duties that matured, penalties that
2 were incurred, or proceedings that were begun before the
3 effective date of this act.

-End-

STATE OF MONTANA
FISCAL NOTE

REQUEST NO. FNN237-85

Form BD-15

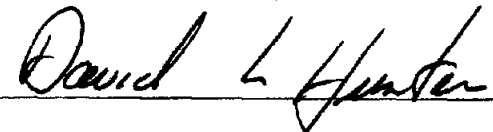
In compliance with a written request received January 26 19 85, there is hereby submitted a Fiscal Note for H.B. 472 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 472 requires licensed health care facilities to be inspected annually and deletes the requirement that facilities applying for license renewal submit reports documenting that they meet minimum standards.

FISCAL IMPACT:

None



BUDGET DIRECTOR
Office of Budget and Program Planning

Date: Jan 28, 1985
HB 472

APPROVED BY COMM. ON HUMAN SERVICES AND AGING

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-2- SECOND READING HB 472

LC 1447/01

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(4) The minimum standards which home health agencies must meet in order to be licensed shall must 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)(5) 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. The entire premises of a licensed facility shall must be open to inspection, and access to all records shall must be granted at all reasonable times."

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12 ~~are--being--met.~~

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HB 0472/02

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