

SENATE BILL NO. 287

1/30 Introduced  
1/31 Referred to Public, Health, Welfare & Safety  
2/02 Fiscal Note Requested  
2/07 Fiscal Note Received  
2/15 Hearing  
2/19 Committee Report-Bill Pass As Amended  
2/21 2nd Reading Pass  
2/23 3rd Reading Pass

Transmitted to House

2/27 Referred to Human Services & Aging  
3/08 Hearing  
4/02 On Motion Placed on 2nd Reading  
4/04 Tabled

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*Senate* BILL NO. *287*  
*Brough*

INTRODUCED BY \_\_\_\_\_

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES TO INSPECT LONG-TERM CARE FACILITIES ANNUALLY; 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 that the facility meets minimum standards 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 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

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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 Except as provided in subsection (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.

(5) The department or its authorized agent shall inspect a licensed long-term care facility at least once during each calendar year without prior notice to the operator or staff of the facility. The entire premises of the facility must be open to inspection, and access to all records 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.

-End-

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INTRODUCED BILL  
SB 287

STATE OF MONTANA  
FISCAL NOTE

REQUEST NO. FNN317-85

Form BD-15

In compliance with a written request received February 4, 19 85, there is hereby submitted a Fiscal Note for Senate Bill 287 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:

Senate Bill 287 requires the Department of Health and Environmental Sciences to conduct unannounced inspection at each long-term care facilities annually.

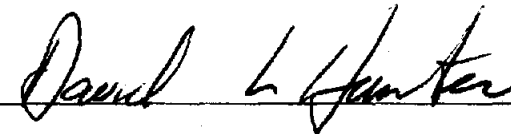
ASSUMPTIONS:

1. 125 facilities will be licensed in both FY1986 and FY1987.
2. Each inquiry would require 5 hours at the facility.
3. Two additional surveyors would be needed.
4. General Fund would be required to finance the proposed inspections.

FISCAL IMPACT:

	<u>FY 1986</u>	<u>FY 1987</u>
<u>Revenue:</u>	-0-	-0-
<u>Expenditures:</u>		
FTE	2.0	2.0
Personal Services	\$50,176	\$50,196
Operating Expenses	15,954	14,455
Equipment	1,474	-0-
	<u>\$67,604</u>	<u>\$64,651</u>

Funding Source:      General Fund



BUDGET DIRECTOR  
Office of Budget and Program Planning

Date: Feb 7, 1985

**SB287**

APPROVED BY COMMITTEE  
ON PUBLIC HEALTH, WELFARE  
& SAFETY

SENATE BILL NO. 287

INTRODUCED BY BENGTON

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES TO INSPECT LONG-TERM--CARE LICENSED FACILITIES ANNUALLY; AMENDING SECTION 50-5-204, MCA."

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(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 except-as-provided-in-subsection-(5), the~~ 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 DURING EACH CALENDAR YEAR WITHOUT PRIOR NOTICE TO THE OPERATOR OR STAFF OF THE FACILITY. 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.

~~{5}--The--department--or--its--authorized--agent--shall inspect--a--licensed--long-term--care-facility-at-least-once during-each--calendar--year--without--prior--notice--to--the operator--or--staff--of--the--facility;--The--entire--premises--of the-facility--must--be--open--to--inspection;--and--access--to--all records--must--be--granted--at--all--reasonable--times."~~

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SB 0287/02

1 act.

-End-

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