

HOUSE BILL NO. 749

INTRODUCED BY SQUIRES, CONNELLY, HANSEN, FRITZ, MARKS,  
RASMUSSEN, COHEN, DRISCOLL, WHALEN, KEENAN,  
B. WILLIAMS, TVEIT, BENGTSON, B. BROWN

IN THE HOUSE

FEBRUARY 14, 1987                   INTRODUCED AND REFERRED TO COMMITTEE  
ON HUMAN SERVICES & AGING.

FEBRUARY 18, 1987                   COMMITTEE RECOMMEND BILL  
DO PASS. REPORT ADOPTED.

                                      PRINTING REPORT.

FEBRUARY 20, 1987                   SECOND READING, DO PASS.

FEBRUARY 21, 1987                   ENGROSSING REPORT.

                                      THIRD READING, PASSED.  
AYES, 83; NOES, 7.

                                      TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 23, 1987                   INTRODUCED AND REFERRED TO COMMITTEE  
ON PUBLIC HEALTH, WELFARE & SAFETY.

MARCH 5, 1987                       COMMITTEE RECOMMEND BILL BE  
CONCURRED IN. REPORT ADOPTED.

MARCH 9, 1987                       SECOND READING, CONCURRED IN.

MARCH 11, 1987                      THIRD READING, CONCURRED IN.  
AYES, 48; NOES, 2.

                                      RETURNED TO HOUSE.

IN THE HOUSE

MARCH 12, 1987                      RECEIVED FROM SENATE.

                                      SENT TO ENROLLING.

1 *House* BILL NO. *749*  
 2 INTRODUCED BY *Squires Connolly, Stuber Jensen*  
 3 *Fitz, Madsen, Robinson, Cole, Driscoll, Whalen*  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE  
 5 DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES TO MAKE  
 6 UNANNOUNCED INSPECTIONS OF LICENSED HEALTH CARE FACILITIES;  
 7 AMENDING SECTION 50-5-204, MCA; AND PROVIDING AN EFFECTIVE  
 8 DATE."  
 9

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

11 Section 1. Section 50-5-204, MCA, is amended to read:  
 12 "50-5-204. Issuance and renewal of licenses --  
 13 inspections. (1) After receipt of a new or renewal  
 14 application, the department or its authorized agent shall  
 15 inspect the facility without prior notice to the operator or  
 16 staff.

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

21 (3) If minimum standards are not met, the department  
 22 may issue a provisional license for less than 1 year if  
 23 operation will not result in undue hazard to patients or  
 24 residents or if the demand for accommodations offered is not  
 25 met in the community.

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

5 (5) The department may inspect a licensed health care  
 6 facility whenever it considers it necessary. The entire  
 7 premises of a licensed facility must be open to inspection,  
 8 and access to all records must be granted at all reasonable  
 9 times."

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

15 NEW SECTION. Section 3. Effective date. This act is  
 16 effective July 1, 1987.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB749, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act requiring the Department of Health and Environmental Sciences to make unannounced inspections of licensed health care facilities; amending section 50-5-204, MCA; and providing an effective date.

ASSUMPTIONS:

1. The Department of Health and Environmental Sciences currently does unannounced inspections of licensed health care facilities. It is assumed that current level funding will be adequate to cover such unannounced inspections.

David L. Hunter DATE 2/18/87

DAVID L. HUNTER, BUDGET DIRECTOR  
Office of Budget and Program Planning

Carolyn Squires DATE 2/19/86  
CAROLYN SQUIRES, PRIMARY SPONSOR

Fiscal Note for HB749, as introduced.

**HB 749**

1 *House* BILL NO. *749*  
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 3 *Fitz, Madala, Radman, Chas, Driver, Whalen*  
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-2- SECOND READING  
 HB-749

1 *House* BILL NO. *749*  
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 3 *Fitz, Miller, Radmann, Cole, Driscoll, Whalen*  
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