

SENATE BILL NO. 305  
INTRODUCED BY ECK, CORNE'

IN THE SENATE

FEBRUARY 6, 1987                   INTRODUCED AND REFERRED TO COMMITTEE  
ON PUBLIC HEALTH, WELFARE & SAFETY.

FEBRUARY 19, 1987                   COMMITTEE RECOMMEND BILL  
DO PASS AS AMENDED. REPORT ADOPTED.  
  
STATEMENT OF INTENT ADOPTED.

FEBRUARY 20, 1987                   PRINTING REPORT.

FEBRUARY 21, 1987                   SECOND READING, DO PASS.

FEBRUARY 23, 1987                   ENGROSSING REPORT.  
  
THIRD READING, PASSED.  
AYES, 49; NOES, 0.  
  
TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 24, 1987                   INTRODUCED AND REFERRED TO COMMITTEE  
ON HUMAN SERVICES & AGING.

MARCH 13, 1987                   COMMITTEE RECOMMEND BILL BE  
CONCURRED IN. REPORT ADOPTED.

MARCH 17, 1987                   SECOND READING, CONCURRED IN AS  
AMENDED.

MARCH 19, 1987                   THIRD READING, CONCURRED IN.  
AYES, 97; NOES, 1.  
  
RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

MARCH 23, 1987

RECEIVED FROM HOUSE.

SECOND READING, AMENDMENTS  
CONCURRED IN.

MARCH 24, 1987

THIRD READING, AMENDMENTS  
CONCURRED IN.

SENT TO ENROLLING.

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*Senate* BILL NO. *305*

INTRODUCED BY *Eck Clark*

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING A PROPERLY QUALIFIED DENTIST WHO IS ON THE MEDICAL STAFF OF A HOSPITAL TO PERFORM A PHYSICAL EXAMINATION IN CONJUNCTION WITH A HOSPITAL ADMISSION."

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

Section 1. Hospital admissions -- patient histories and examinations. (1) A qualified dentist who is a member of the medical staff of a hospital and who admits a patient having only dental problems to the hospital may take the history and perform a complete physical examination of the patient.

(2) This section does not affect hospital staff privileges of any hospital and may not be construed to require that such privileges be extended or not extended to any dentist.

Section 2. Codification instruction. Section 1 is intended to be codified as an integral part of Title 37, chapter 4, and the provisions of Title 37, chapter 4, apply to section 1.

-End-



INTRODUCED BILL  
SB 305

APPROVED BY COMMITTEE  
ON PUBLIC HEALTH, WELFARE  
& SAFETY

1 STATEMENT OF INTENT

2 SENATE BILL 305

3 Senate Public Health, Welfare, and Safety Committee

4  
5 This bill may require the department of health and  
6 environmental sciences to amend Rule 16.32.320,  
7 Administrative Rules of Montana, or to modify its  
8 interpretation of that rule, which incorporates by reference  
9 federal regulations governing hospital staffing (42 CFR 405  
10 subpart J). If the federal regulations do not prohibit a  
11 hospital from authorizing an oral surgeon to take patient  
12 histories and perform physical examinations, no action by  
13 the department is contemplated. Because the federal  
14 regulations are ambiguous, the department may make  
15 appropriate changes in its rules if necessary to administer  
16 this act.

17 Should other dental specialties emerge, with  
18 in-hospital training equivalent to that of oral surgeons,  
19 the board of dentistry may recognize these specialists as  
20 qualified to take patient histories and perform physical  
21 examinations.

1 SENATE BILL NO. 305

2 INTRODUCED BY ECK, CORNE'

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING A PROPERLY  
5 QUALIFIED DENTIST ORAL SURGEON WHO IS ON THE MEDICAL STAFF  
6 OF A HOSPITAL TO PERFORM A PHYSICAL EXAMINATION IN  
7 CONJUNCTION WITH A HOSPITAL ADMISSION."

8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Hospital admissions -- patient histories  
11 and examinations. (1) FOR PURPOSES OF THIS SECTION, "ORAL  
12 SURGEON" MEANS A DENTIST WHO HAS SUCCESSFULLY COMPLETED A  
13 POSTGRADUATE PROGRAM IN ORAL SURGERY ACCREDITED BY A  
14 NATIONALLY RECOGNIZED ACCREDITATION BODY APPROVED BY THE  
15 UNITED STATES OFFICE OF EDUCATION.

16 (2) A qualified dentist ORAL SURGEON who is a member  
17 of the medical staff of a hospital and who admits a patient  
18 ~~having-only-dental-problems~~ to the hospital FOR ORAL OR  
19 MAXILLOFACIAL SURGERY may take the history and perform a  
20 complete physical examination of the patient.

21 ~~(2)(3)~~ (3) This section does not affect hospital staff  
22 privileges of any hospital and may not be construed to  
23 require that such ~~privileges~~ ANY SPECIFIC PRIVILEGE,  
24 INCLUDING TAKING A HISTORY OR PERFORMING A PHYSICAL  
25 EXAMINATION, be extended or not extended to any dentist ORAL

1 SURGEON.

2 SECTION 2. EXTENSION OF AUTHORITY. ANY EXISTING  
3 AUTHORITY OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL  
4 SCIENCES AND THE BOARD OF DENTISTRY TO MAKE RULES ON THE  
5 SUBJECT OF THE PROVISIONS OF THIS ACT IS EXTENDED TO THE  
6 PROVISIONS OF THIS ACT.

7 Section 3. Codification instruction. Section 1 is  
8 intended to be codified as an integral part of Title 37,  
9 chapter 4, and the provisions of Title 37, chapter 4, apply  
10 to section 1.

-End-

## 1 STATEMENT OF INTENT

## 2 SENATE BILL 305

3 Senate Public Health, Welfare, and Safety Committee  
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5 This bill may require the department of health and  
6 environmental sciences to amend Rule 16.32.320,  
7 Administrative Rules of Montana, or to modify its  
8 interpretation of that rule, which incorporates by reference  
9 federal regulations governing hospital staffing (42 CFR 405  
10 subpart J). If the federal regulations do not prohibit a  
11 hospital from authorizing an oral surgeon to take patient  
12 histories and perform physical examinations, no action by  
13 the department is contemplated. Because the federal  
14 regulations are ambiguous, the department may make  
15 appropriate changes in its rules if necessary to administer  
16 this act.

17 Should other dental specialties emerge, with  
18 in-hospital training equivalent to that of oral surgeons,  
19 the board of dentistry may recognize these specialists as  
20 qualified to take patient histories and perform physical  
21 examinations.

THIRD READING  
SB 305

SENATE BILL NO. 305

INTRODUCED BY ECK, CORNE'

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING A PROPERLY QUALIFIED DENTIST ORAL SURGEON WHO IS ON THE MEDICAL STAFF OF A HOSPITAL TO PERFORM A PHYSICAL EXAMINATION IN CONJUNCTION WITH A HOSPITAL ADMISSION."

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

Section 1. Hospital admissions -- patient histories and examinations. (1) FOR PURPOSES OF THIS SECTION, "ORAL SURGEON" MEANS A DENTIST WHO HAS SUCCESSFULLY COMPLETED A POSTGRADUATE PROGRAM IN ORAL SURGERY ACCREDITED BY A NATIONALLY RECOGNIZED ACCREDITATION BODY APPROVED BY THE UNITED STATES OFFICE OF EDUCATION.

(2) A qualified dentist ORAL SURGEON who is a member of the medical staff of a hospital and who admits a patient having-only-dental-problems to the hospital FOR ORAL OR MAXILLOFACIAL SURGERY may take the history and perform a complete physical examination of the patient.

(2)(3) This section does not affect hospital staff privileges of any hospital and may not be construed to require that such--privileges ANY SPECIFIC PRIVILEGE, INCLUDING TAKING A HISTORY OR PERFORMING A PHYSICAL EXAMINATION, be extended or not extended to any dentist ORAL

SURGEON.

SECTION 2. EXTENSION OF AUTHORITY, ANY EXISTING AUTHORITY OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES AND THE BOARD OF DENTISTRY TO MAKE RULES ON THE SUBJECT OF THE PROVISIONS OF THIS ACT IS EXTENDED TO THE PROVISIONS OF THIS ACT.

Section 3. Codification instruction. Section 1 is intended to be codified as an integral part of Title 37, chapter 4, and the provisions of Title 37, chapter 4, apply to section 1.

-End-



1 STATEMENT OF INTENT

2 SENATE BILL 305

3 Senate Public Health, Welfare, and Safety Committee

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5 This bill may require the department of health and  
6 environmental sciences to amend Rule 16.32.320,  
7 Administrative Rules of Montana, or to modify its  
8 interpretation of that rule, which incorporates by reference  
9 federal regulations governing hospital staffing (42 CFR 405  
10 subpart J). If the federal regulations do not prohibit a  
11 hospital from authorizing an oral surgeon to take patient  
12 histories and perform physical examinations, no action by  
13 the department is contemplated. Because the federal  
14 regulations are ambiguous, the department may make  
15 appropriate changes in its rules if necessary to administer  
16 this act.

17 Should other dental specialties emerge, with  
18 in-hospital training equivalent to that of oral surgeons,  
19 the board of dentistry may recognize these specialists as  
20 qualified to take patient histories and perform physical  
21 examinations.

REFERENCE BILL  
SB 305





1 SENATE BILL NO. 305

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4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING A PROPERLY  
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15 UNITED STATES OFFICE OF EDUCATION.

16 (2) A qualified dentist ORAL SURGEON who is a member  
17 of the medical staff of a hospital and who admits a patient  
18 having-only-dental-problems to the hospital FOR ORAL OR  
19 MAXILLOFACIAL SURGERY may take the history and perform a  
20 complete physical examination of the patient IF THE PATIENT  
21 HAS NO KNOWN MEDICAL PROBLEMS.

22 (2)(3) This section does not affect hospital staff  
23 privileges of any hospital and may not be construed to  
24 require that such--privileges ANY SPECIFIC PRIVILEGE,  
25 INCLUDING TAKING A HISTORY OR PERFORMING A PHYSICAL

1 EXAMINATION, be extended or not extended to any dentist ORAL  
2 SURGEON.

3 SECTION 2. EXTENSION OF AUTHORITY. ANY EXISTING  
4 AUTHORITY OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL  
5 SCIENCES AND THE BOARD OF DENTISTRY TO MAKE RULES ON THE  
6 SUBJECT OF THE PROVISIONS OF THIS ACT IS EXTENDED TO THE  
7 PROVISIONS OF THIS ACT.

8 Section 3. Codification instruction. Section 1 is  
9 intended to be codified as an integral part of Title 37,  
10 chapter 4, and the provisions of Title 37, chapter 4, apply  
11 to section 1.

-End-



# COMMITTEE OF THE WHOLE AMENDMENT

(42)

## HOUSE

3-17-87

DATE

15:35

TIME

MR. CHAIRMAN: I MOVE TO AMEND SB 305

3rd reading copy ( blue ) as follows:  
Color

*PASSED*

1) Page 1, line 20.

Following: "patient"

Insert: "if the patient has no known medical problems"

ADOPT

REJECT

3171535S.CW

*Tom Bulger*  
Rep. Bulger