

HOUSE BILL NO. 214

INTRODUCED BY SMITH

BY REQUEST OF THE DIVISION OF WORKERS' COMPENSATION

IN THE HOUSE

JANUARY 17, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON LABOR & EMPLOYMENT RELATIONS.
	FIRST READING.
JANUARY 25, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 26, 1989	PRINTING REPORT.
JANUARY 28, 1989	SECOND READING, DO PASS.
JANUARY 30, 1989	ENGROSSING REPORT.
JANUARY 31, 1989	THIRD READING, PASSED. AYES, 96; NOES, 0.
	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 2, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
	FIRST READING.
MARCH 1, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 3, 1989	SECOND READING, CONCURRED IN.
MARCH 6, 1989	THIRD READING, CONCURRED IN. AYES, 50; NOES, 0.
	RETURNED TO HOUSE.

IN THE HOUSE

MARCH 7, 1989	RECEIVED FROM SENATE.
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SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE  
6 APPOINTMENT OF A REPRESENTATIVE PAYEE TO APPLY FOR AND  
7 RECEIVE SILICOSIS PAYMENTS ON BEHALF OF A PERSON ELIGIBLE  
8 FOR SUCH PAYMENTS OR HIS BENEFICIARY."  
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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
11 NEW SECTION. Section 1. Representative payee --  
12 appointment -- duties. (1) The division of workers'  
13 compensation may appoint a representative payee to apply for  
14 and receive payment of silicosis benefits on behalf of a  
15 person eligible for such payments or his beneficiary if the  
16 division determines that such appointment is in the best  
17 interests of the person or his beneficiary. The  
18 representative payee may be a person, a corporation, a  
19 government agency, or an institution, including a nursing  
20 home or extended care facility providing care for the person  
21 or his beneficiary.  
22 (2) To determine the best interests of the eligible  
23 person or his beneficiary for appointment of a  
24 representative payee, the division may consider:  
25 (a) a court determination of incompetence;

1 (b) medical evidence;  
2 (c) relevant information from any person, corporation,  
3 government agency, or institution; and  
4 (d) other relevant information.  
5 (3) The division shall:  
6 (a) determine the circumstances in which a  
7 representative payee may be appointed;  
8 (b) establish procedures for his appointment; and  
9 (c) establish the representative payee's  
10 responsibilities.  
11 (4) The representative payee shall:  
12 (a) act as a trustee to the person eligible for  
13 silicosis payments or his beneficiary in handling payments  
14 received; and  
15 (b) maintain and expend such funds for the benefit and  
16 best interests of the eligible person or his beneficiary.  
17 (5) The division's obligation under this chapter is  
18 fully discharged upon payment of benefits to the  
19 representative payee.  
20 NEW SECTION. Section 2. Extension of authority. Any  
21 existing authority to make rules on the subject of the  
22 provisions of [this act] is extended to the provisions of  
23 [this act].  
24 NEW SECTION. Section 3. Codification instruction.  
25 [Section 1] is intended to be codified as an integral part

LC 0235/01

1 of Title 39, chapter 73, part 1, and the provisions of Title  
2 39, chapter 73, part 1, apply to [section 1].

-End-

APPROVED BY COMMITTEE  
ON LABOR & EMPLOYMENT  
RELATIONS

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HB 0214/02

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