SENATE BILL 189

Introduced by Pipinich, et al.

1/18	Introduced
1/18	Referred to Public Health, Welfare &
	Safety
1/25	Hearing
1/26	Committee ReportBill Passed
1/28	2nd Reading Passed as Amended
1/31	3rd Reading Passed

Transmitted to House

2/21	Referred to Human Services & Aging
3/06	Hearing
3/07	Committee ReportBill Concurred
3/08	2nd Reading Concurred
3/09	3rd Reading Failed

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enter BILL NO. 189 1 Var Heating INTRODUCED BY 2 SBY BEQUEST OF THE DEPARTMENT OF EALTH 3 his war AND ENVIRONMENTAL SCIENCES "AN ACT TO REQUIRE LOCAL HEALTH ACT ENTITLED: OFFICERS OR THEIR AUTHORIZED REPRESENTATIVES TO TAKE ANY 7 ACTION NECESSARY TO PREVENT OR CONTROL THE SPREAD OF 8 COMMUNICABLE DISEASE IF THE ACTION DOES NOT CONFLICT WITH 9 10 RULES ADOPTED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL 11 SCIENCES; AMENDING SECTION 50-2-118, MCA; AND PROVIDING 12 EFFECTIVE DATES."

13

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

15 Section 1. Section 50-2-118, MCA, is amended to read:
16 "50-2-118. Powers and duties of local health officers.
17 (1) Local health officers or their authorized
18 representatives shall:

19 (a) make inspections for sanitary conditions;

(b) as directed by the local board, issue written
orders for the destruction and removal of filth which might
cause disease;

23 (c) with written approval of the department, order
24 buildings or facilities where people congregate closed
25 during epidemics;

Montana Legislative Council

(d) on forms provided by the department, report communicable diseases to the department each week;

3 (e) before the first day of January, April, July, and
4 October, give a report to the local board of sanitary
5 conditions in the county, city, city-county, or district,
6 together with a detailed account of his <u>their</u> activities, on
7 forms and containing information required by the department;

8 (f) before the 10th day after the report is given to
9 the local board, send a copy of the report required by
10 subsection (1)(e) of this section to the department;

11 (g)--as--prescribed-by-rules-adopted-by-the-department;
12 establish-and-maintain-guarantines;

13 (h)--as-prescribed-by-rules-adopted-by-the--department; 14 supervise--the--disinfection-of-places-at-the-expense-of-the 15 local-board-when-a-period-of-quarantine-ends; 16 (i)(g) notify the department of his--appointment any 17 appointments and changes in membership of the local board; 18 (j)(h) file a complaint with the appropriate court if

19 this chapter or rules adopted by the local board or state 20 department under this chapter are violated;

21 (k)(i) validate state licenses issued by the
22 department in accordance with chapters 50, 51, and 52 of
23 this title; and

24 (j) take any action necessary to prevent or control
 25 communicable disease if the action does not conflict with

-2- INTRODUCED BILL SB189

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1 rules adopted by the department.

2 (2) With approval of the department, local health
3 officers may forbid persons to assemble in a place if the
4 assembly endangers public health.

5 (3) A local health officer who is a physician may be 6 placed in charge of a communicable disease hospital, but a 7 local health officer who is a physician is not required to 8 act as a physician to the indigent.

9 (4) A local health officer who is not a physician10 shall not act as a physician to anyone."

11 <u>NEW SECTION.</u> Section 2. Extension of authority. Any 12 existing authority to make rules on the subject of the 13 provisions of [this act] is extended to the provisions of 14 [this act].

NEW SECTION. Section 3. Effective dates. (1) [Section
and this section] are effective on passage and approval.
(2) [Section 1] is effective October 1, 1989.

-End-

-3-

51st Legislature

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APPROVED BY COMMITTEE ON PUBLIC HEALTH: WELFARE & SAFFTY

a see BILL NO. 184 1 hand then 2 INTRODUCED BY riz von BY BEQUEST OF THE DEPARTMENT OF HEALTH 3 IRONMENTAL SCIENCES - 👾 👓 5 14 "AN ACT TO REQUIRE LOCAL HEALTH 6 ACT ENTITLED: 7 OFFICERS OR THEIR AUTHORIZED REPRESENTATIVES TO TAKE ANY 8 ACTION NECESSARY TO PREVENT OR CONTROL THE SPREAD OF 9 COMMUNICABLE DISEASE IF THE ACTION DOES NOT CONFLICT WITH 10 RULES ADOPTED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL 11 SCIENCES; AMENDING SECTION 50-2-118, MCA; AND PROVIDING 12 EFFECTIVE DATES."

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15 Section 1. Section 50-2-118, MCA, is amended to read: 16 *50-2-118. Powers and duties of local health officers. 17 (1) Local health officers or their authorized 18 representatives shall:

19 (a) make inspections for sanitary conditions;

(b) as directed by the local board, issue written
orders for the destruction and removal of filth which might
cause disease;

23 (c) with written approval of the department, order
24 buildings or facilities where people congregate closed
25 during epidemics;



(d) on forms provided by the department, report communicable diseases to the department each week;

3 (e) before the first day of January, April, July, and October, give a report to the local board of sanitary 4 5 conditions in the county, city, city-county, or district, together with a detailed account of his their activities, on 6 forms and containing information required by the department; 7 8 (f) before the 10th day after the report is given to the local board, send a copy of the report required by 9 subsection (1)(e) of this section to the department; 10 11 fgt--as--prescribed-by-rules-adopted-by-the-department; 12 establish-and-maintain-guarantines; 13 fhj--as-prescribed-by-rules-adopted-by-the--department; 14 supervise--the--disinfection-of-places-at-the-expense-of-the tocal-board-when-a-period-of-quarantine-ends; 15 16 (i) notify the department of his--appointment any 17 appointments and changes in membership of the local board; (++) file a complaint with the appropriate court if 18

19 this chapter or rules adopted by the local board or state 20 department under this chapter are violated;

21 (k)(i) validate state licenses issued by the
22 department in accordance with chapters 50, 51, and 52 of
23 this title; and

24 (j) take any action necessary to prevent or control

25 communicable disease if the action does not conflict with

-2- SECOND READING SB189

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1 rules adopted by the department.

2 (2) With approval of the department, local health 3 officers may forbid persons to assemble in a place if the 4 assembly endangers public health.

5 (3) A local health officer who is a physician may be 6 placed in charge of a communicable disease hospital, but a 7 local health officer who is a physician is not required to 8 act as a physician to the indigent.

9 (4) A local health officer who is not a physician10 shall not act as a physician to anyone."

11 <u>NEW SECTION.</u> Section 2. Extension of authority. Any 12 existing authority to make rules on the subject of the 13 provisions of [this act] is extended to the provisions of 14 [this act].

NEW SECTION. Section 3. Effective dates. (1) [Section
and this section] are effective on passage and approval.
(2) [Section 1] is effective October 1, 1989.

-End-

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1	SENATE BILL NO. 189	1	(c) with written approval of the department, order
2	INTRODUCED BY PIPINICH, VAN VALKENBURG, WEEDING, NORMAN,	2	buildings or facilities where people congregate closed
3	DRISCOLL, MANNING, SQUIRES, WILLIAMS, QUILICI, JACOBSON,	3	during epidemics;
4	HALLIGAN, MOORE, ABRAMS, NOBLE, NATHE, MENAHAN, VAUGHN,	4	(d) on forms provided by the department, report
5	REGAN, MCLANE, YELLOWTAIL, DAVIS, RAPP-SVRCEK	5	communicable diseases to the department each week;
6	BY REQUEST OF THE DEPARTMENT OF HEALTH	б	(e) before the first day of January, April, July, and
7	AND ENVIRONMENTAL SCIENCES	7	October, give a report to the local board of sanitary
8		8	conditions in the county, city, city-county, or district,
9	A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE LOCAL HEALTH	9	together with a detailed account of his their activities, on
10	OFFICERS OR THEIR AUTHORIZED REPRESENTATIVES TO TAKE ANY	10	forms and containing information required by the department;
11	APPROPRIATE ACTION NECESSARY TO PREVENT OR CONTROL THE	11	(f) before the 10th day after the report is given to
12	SPREAD OF COMMUNICABLE DISEASE IF THE ACTION DOES NOT	12	the local board, send a copy of the report required by
13	CONFLICT WITH RULES ADOPTED BY THE DEPARTMENT OF HEALTH AND	13	<pre>subsection (l)(e) of this section to the department;</pre>
14	ENVIRONMENTAL SCIENCES; AMENDING SECTION 50-2-118, MCA; AND	14	tg;asprescribed-by-rules-adopted-by-the-department;
15	PROVIDING EFFECTIVE DATES."	15	establish-and-maintain-quarantines;
16		16	<pre>thtas-prescribed-by-rules-adopted-by-thedepartment;</pre>
17	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	17	supervisethedisinfection-of-places-at-the-expense-of-the
18	Section 1. Section 50-2-118, MCA, is amended to read:	18	local-board-when-a-period-of-quarantine-ends;
19	"50-2-118. Powers and duties of local health officers.	19	<pre>fit(g) notify the department of hisappointment any</pre>
20	(1) Local health officers or their authorized	20	appointments and changes in membership of the local board;
21	representatives shall:	21	<pre>(j)(h) file a complaint with the appropriate court if</pre>
22	(a) make inspections for sanitary conditions;	22	this chapter or rules adopted by the local board or state
23	(b) as directed by the local board, issue written	23	department under this chapter are violated;
24	orders for the destruction and removal of filth which might	24	<pre>(k)(i) validate state licenses issued by the</pre>
25	Cause disease;	25	department in accordance with chapters 50, 51, and 52 of
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Montana Legislative Council

THIRD READING AS AMENDED

1 this title; and

(j) take any APPROPRIATE action necessary to prevent
 or control communicable disease if the action does not
 conflict with rules adopted by the department.

5 (2) With approval of the department, local health 6 officers may forbid persons to assemble in a place if the 7 assembly endangers public health.

8 (3) A local health officer who is a physician may be 9 placed in charge of a communicable disease hospital, but a 10 local health officer who is a physician is not required to 11 act as a physician to the indigent.

12 (4) A local health officer who is not a physician13 shall not act as a physician to anyone."

14 <u>NEW SECTION.</u> Section 2. Extension of authority. Any 15 existing authority to make rules on the subject of the 16 provisions of [this act] is extended to the provisions of 17 [this act].

18 <u>NEW SECTION.</u> Section 3. Effective dates. (1) [Section
19 2 and this section] are effective on passage and approval.
20 (2) [Section 1] is effective October 1, 1989.

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1	SENATE BILL NO. 189	1	(c) wi
2	INTRODUCED BY PIPINICH, VAN VALKENBURG, WEEDING, NORMAN,	2	buildings o
3	DRISCOLL, MANNING, SQUIRES, WILLIAMS, QUILICI, JACOBSON,	3	during epide
4	HALLIGAN, MOORE, ABRAMS, NOBLE, NATHE, MENAHAN, VAUGHN,	4	(đ) on
5	REGAN, MCLANE, YELLOWTAIL, DAVIS, RAPP-SVRCEK	5	communicable
6	BY REQUEST OF THE DEPARTMENT OF HEALTH	6	(e) be
7	AND ENVIRONMENTAL SCIENCES	7	October, gi
8		8	conditions i
9	A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE LOCAL HEALTH	9	together wit
10	OFFICERS OR THEIR AUTHORIZED REPRESENTATIVES TO TAKE ANY	10	forms and co
11	APPROPRIATE ACTION NECESSARY TO PREVENT OR CONTROL THE	11	(f) be
12	SPREAD OF COMMUNICABLE DISEASE IF THE ACTION DOES NOT	12	the local bo
13	CONFLICT WITH RULES ADOPTED BY THE DEPARTMENT OF HEALTH AND	13	subsection (
14	ENVIRONMENTAL SCIENCES; AMENDING SECTION 50-2-118, MCA; AND	14	tgtas
15	PROVIDING EFFECTIVE DATES."	15	establish-a
16		16	th)a:
17	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	17	supervise
18	Section 1. Section 50-2-118, MCA, is amended to read:	18	local-board
19	"50-2-118. Powers and duties of local health officers,	19	<u>t±>(g)</u>
20	(1) Local health officers or their authorized	20	appointment
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22	(a) make inspections for sanitary conditions;	22	this chapte
23	(b) as directed by the local board, issue written	23	department
24	orders for the destruction and removal of filth which might	24	tk; <u>(i)</u>
25	cause disease;	25	department

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12 the local board, send a copy of the report required by 13 subsection (1)(e) of this section to the department;

14 (g)--as--prescribed-by-rules-adopted-by-the-department;
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16 (h)--as-prescribed-by-rules-adopted-by-the--department; 17 supervise--the--disinfection-of-places-at-the-expense-of-the 18 local-board-when-a-period-of-quarantine-ends;

19 (i)(g) notify the department of his--appointment any 20 appointments and changes in membership of the local board; 21 (j)(h) file a complaint with the appropriate court if 22 this chapter or rules adopted by the local board or state 23 department under this chapter are violated;

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REFERENCE BILL

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