

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 Report--Bill 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 Report--Bill Concurred
3/08	2nd Reading Concurred
3/09	3rd Reading Failed

1 Senate BILL NO. 189
 2 INTRODUCED BY Senator Thomas Udberg
 3 Norman BY REQUEST OF THE DEPARTMENT OF HEALTH
 4 AND ENVIRONMENTAL SCIENCES
 5 William Sullivan, Robert Moore, John Nelson, Yellowtail
 6 Jackson, Abby Abramson, Steve Lipp, and
 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."

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;

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

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

1 (d) on forms provided by the department, report
 2 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 their 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 quarantines;~~

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

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 physician
10 shall not act as a physician to anyone."

11 NEW SECTION. 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].

15 NEW SECTION. Section 3. Effective dates. (1) [Section
16 2 and this section] are effective on passage and approval.

17 (2) [Section 1] is effective October 1, 1989.

-End-

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 REGAN, MCLANE, YELLOWTAIL, DAVIS, RAPP-SVRCEK

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AND ENVIRONMENTAL SCIENCES

A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE LOCAL HEALTH
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~~{g}--as--prescribed-by-rules-adopted-by-the-department,
 establish-and-maintain-quarantines;~~

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

~~{k}{i}~~ validate state licenses issued by the
 department in accordance with chapters 50, 51, and 52 of

1 this title; and

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