HOUSE BILL NO. 117

INTRODUCED BY KASTEN, CHRISTIAENS BY REQUEST OF THE DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES

IN THE HOUSE

	IN THE HOUSE
JANUARY 7, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
	FIRST READING.
JANUARY 14, 1993	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
JANUARY 15, 1993	PRINTING REPORT.
JANUARY 16, 1993	SECOND READING, DO PASS.
JANUARY 18, 1993	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 97; NOES, 0.
	TRANSMITTED TO SENATE.
	IN THE SENATE
JANUARY 20, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, WELFARE, & SAFETY.
JANUARY 20, 1993	INTRODUCED AND REFERRED TO COMMITTEE
JANUARY 20, 1993 JANUARY 26, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, WELFARE, & SAFETY.
	INTRODUCED AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, WELFARE, & SAFETY. FIRST READING. COMMITTEE RECOMMEND BILL BE
JANUARY 26, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, WELFARE, & SAFETY. FIRST READING. COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
JANUARY 26, 1993 JANUARY 27, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, WELFARE, & SAFETY. FIRST READING. COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED. SECOND READING, CONCURRED IN. THIRD READING, CONCURRED IN.
JANUARY 26, 1993 JANUARY 27, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, WELFARE, & SAFETY. FIRST READING. COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED. SECOND READING, CONCURRED IN. THIRD READING, CONCURRED IN. AYES, 45; NOES, 0.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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3			BY E	REQUEST OF T	HE DE	PARTM	ENT OF		
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6	A BILL FOR	AN	ACT	ENTITLED:	"AN	ACT	CLARIFYING	THAT	A

INVESTIGATION OF AN ALLEGED ABUSE OF A RESIDENT IN A STATE
INSTITUTION FOR THE DEVELOPMENTALLY DISABLED MUST BE

INITIATED WITHIN 24 HOURS OF THE ALLEGED VIOLATION AND THE

10 RESULTS MUST BE REPORTED TO THE SUPERINTENDENT OF THE

11 FACILITY; AND AMENDING SECTION 53-20-163, MCA."

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

Section 1. Section 53-20-163, MCA, is amended to read:

*53-20-163. Abuse of residents prohibited. (1) Every residential facility shall prohibit mistreatment, neglect, or abuse in any form of any resident. Alleged violations must be reported immediately to the superintendent of the facility, and there must be a written record that:

- (a) each alleged violation has been thoroughly investigated and findings stated; and
- (b) the results-of-the-preliminary investigation are reported-to-the-superintendent-of-the-facility into the alleged violation was initiated within 24 hours of the report of the incident and the results were reported to the

Montana Legislative Council

superintendent.

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2 (2) The reports must also be made to the mental
3 disabilities board of visitors monthly. Each facility shall
4 cause a written statement of this policy to be posted in
5 each cottage and building and circulated to all staff
6 members."

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APPROVED BY COMMITTEE ON JUDICIARY

~	INTRODUCTION, CHARTOTTE
3	BY REQUEST OF THE DEPARTMENT OF
4	CORRECTIONS AND HUMAN SERVICES
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6	A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT AN
7	INVESTIGATION OF AN ALLEGED ABUSE OF A RESIDENT IN A STATE
8	INSTITUTION FOR THE DEVELOPMENTALLY DISABLED MUST BE
9	INITIATED WITHIN 24 HOURS OF THE ALLEGER-VIOLATION REPORT OF
10	THE INCIDENT AND THE RESULTS MUST BE REPORTED TO THE
11	SUPERINTENDENT-OF-THE-FACILITY DIRECTOR OF THE DEPARTMENT OF
12	CORRECTIONS AND HUMAN SERVICES; AND AMENDING SECTION
13	53-20-163, MCA."
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18	residential facility shall prohibit mistreatment, neglect,
19	or abuse in any form of any resident. Alleged violations
20	must be reported immediately to the superintendent of the

facility, and there must be a written record that:

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(b) the results-of-the--preliminary investigation are

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HOUSE BILL NO. 117

INTRODUCED BY KASTEN, CHRISTIAENS

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- 2 report of the incident and the results were reported to the
- 3 superintendent DIRECTOR OF THE DEPARTMENT OF CORRECTIONS AND
- 4 HUMAN SERVICES.
- 5 (2) The reports must also be made to the mental disabilities board of visitors monthly. Each facility shall 7 cause a written statement of this policy to be posted in 8 each cottage and building and circulated to all staff 9 members."

HB 0117/02

1	HOUSE BILL NO. 117
2	INTRODUCED BY KASTEN, CHRISTIAEN
3	BY REQUEST OF THE DEPARTMENT OF
4	CORRECTIONS AND HUMAN SERVICES

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A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT AN INVESTIGATION OF AN ALLEGED ABUSE OF A RESIDENT IN A STATE INSTITUTION FOR THE DEVELOPMENTALLY DISABLED MUST BE INITIATED WITHIN 24 HOURS OF THE ALLEGED-VIOLATION REPORT OF THE INCIDENT AND THE RESULTS MUST BE REPORTED TO THE SUPERINTENDENT-OF-THE-PAGILITY DIRECTOR OF THE DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES; AND AMENDING SECTION 53-20-163, MCA."

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Section 1. Section 53-20-163, MCA, is amended to read:

"53-20-163. Abuse of residents prohibited. (1) Every residential facility shall prohibit mistreatment, neglect, or abuse in any form of any resident. Alleged violations must be reported immediately to the superintendent of the facility, and there must be a written record that:

- (a) each alleged violation has been thoroughly investigated and findings stated; and
- 24 (b) the results-of-the--preliminary investigation are 25 reported--to--the--superintendent--of--the-facility into the



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5 (2) The reports must also be made to the mental disabilities board of visitors monthly. Each facility shall cause a written statement of this policy to be posted in each cottage and building and circulated to all staff members."

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