HOUSE BILL NO. 489

INTRODUCED BY R. JOHNSON

IN THE HOUSE

FEBRUARY 5, 1993

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INTRODUCED AND REFERRED TO COMMITTEE ON HUMAN SERVICES & AGING.

FIRST READING.

FEBRUARY 15, 1993 COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 16, 1993 PRINTING REPORT.

ON MOTION, CONSIDERATION PASSED FOR THE DAY.

FEBRUARY 17, 1993 SECOND READING, DO PASS.

FEBRUARY 18, 1993 ENGROSSING REPORT.

- FEBRUARY 19, 1993 THIRD READING, PASSED. AYES, 95; NOES, 3.
- FEBRUARY 22, 1993 TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 22, 1993 INTRODUCED AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, WELFARE, & SAFETY.

FIRST READING.

MARCH 23, 1993 COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

MARCH 25, 1993 SECOND READING, CONCURRED IN.

MARCH 26, 1993

AYES, 46; NOES, 0. RETURNED TO HOUSE.

THIRD READING, CONCURRED IN.

IN THE HOUSE

MARCH 27, 1993

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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LC 0791/01

1 2 INTRODUCED BY Anthene

4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT THE 5 POSSESSOR OF A DO NOT RESUSCITATE IDENTIFICATION MAY BE THE 6 SUBJECT OF A LIVING WILL DECLARATION AND MUST BE IN A 7 TERMINAL CONDITION; AMENDING SECTION 50-10-101, MCA; AND 8 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 50-10-101, MCA, is amended to read:
 "50-10-101. Definitions. As used in this part, unless
 the context clearly requires otherwise, the following
 definitions apply:

15 (1) "Attending physician" has the meaning provided in 16 50-9-102.

17 (2) "Board" means the state board of medical examiners.
18 (3) "Department" means the department of health and
19 environmental sciences.

(4) "DNR identification" means a standardized
identification card, form, necklace, or bracelet of uniform
size and design, approved by the department, that signifies
that the possessor has-executed-a-declarationy-as-provided
in-50-9-103y-that--has--not--been--revoked is a gualified
patient, as defined in 50-9-102, or that the possessor's

attending physician has issued a do not resuscitate order
 for the possessor and has documented the grounds for the
 order in the possessor's medical file.

4 (5) "Do not resuscitate order" means a directive from a
5 licensed physician that emergency life-sustaining procedures
6 should not be administered to a particular person.

7 (6) "Do not resuscitate protocol" means a standardized 8 method of procedure, approved by the board and adopted in 9 the rules of the department, for the withholding of 10 emergency life-sustaining procedures by physicians and 11 emergency medical services personnel.

12 (7) "Emergency medical services personnel" has the
 13 meaning provided in 50-9-102.

14 (8) "Health care facility" has the meaning provided in15 50-5-101.

16 (9) "Life-sustaining procedure" means cardiopulmonary 17 resuscitation or a component of cardiopulmonary 18 resuscitation.

19 (10) "Physician" means a person licensed under Title 37,

20 chapter 3, to practice medicine in this state."

21 NEW SECTION. Section 2. Effective date. [This act] is

22 effective on passage and approval.

-End-

H6 489 -2- INTRODUCED BILL

53rd Legislature

HB 0489/02

APPROVED BY COMM. ON HUMAN SERVICES AND AGING

1 1 HOUSE BILL NO. 489 2 2 INTRODUCED BY R. JOHNSON ٦ 3 order in the possessor's medical file. 4 4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT THE 5 POSSESSOR OF A DO NOT RESUSCITATE IDENTIFICATION MAY BE THE 5 6 б SUBJECT OF A LIVING WILL DECLARATION AND MUST BE IN A 7 TERMINAL CONDITION; REQUIRING A DNR IDENTIFICATION FORM TO 7 8 BE READILY AVAILABLE: AMENDING SECTION 50-10-101, MCA: AND 8 9 9 PROVIDING AN IMMEDIATE EFFECTIVE DATE." 10 10 11 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 12 emergency medical services personnel. Section 1. Section 50-10-101, MCA, is amended to read: 12 13 13 "50-10-101. Definitions. As used in this part, unless 14 meaning provided in 50-9-102. the context clearly requires otherwise, the following 14 15 15 definitions apply: 16 50-5-101. 16 (1) "Attending physician" has the meaning provided in 17 17 50-9-102. 18 resuscitation οι 18 (2) "Board" means the state board of medical examiners. 19 resuscitation. 19 (3) "Department" means the department of health and 20 20 environmental sciences. 21 21 (4) "DNR identification" means a standardized 22 NEW SECTION. SECTION 2. DNR 22 identification card, form, necklace, or bracelet of uniform 23 23 size and design, approved by the department, that signifies 24 24 that the possessor has-executed-a-declaration--as--provided 25 25 in--50-9-1037--that--has--not--been--revoked is a qualified

patient, as defined in 50-9-102, or that the possessor's attending physician has issued a do not resuscitate order for the possessor and has documented the grounds for the

(5) "Do not resuscitate order" means a directive from a licensed physician that emergency life-sustaining procedures should not be administered to a particular person.

(6) "Do not resuscitate protocol" means a standardized method of procedure, approved by the board and adopted in the rules of the department, for the withholding of emergency life-sustaining procedures by physicians and

(7) "Emergency medical services personnel" has the

(8) "Health care facility" has the meaning provided in

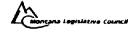
(9) "Life-sustaining procedure" means cardiopulmonary component of cardiopulmonary

(10) "Physician" means a person licensed under Title 37, chapter 3, to practice medicine in this state."

FORM TO BE READILY AVAILABLE. THE DEPARTMENT SHALL ENSURE THAT THE DNR IDENTIFICATION FORM APPROVED BY THE DEPARTMENT IS READILY AVAILABLE AT NO COST OR AT A NOMINAL CHARGE.

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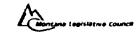
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- 1 <u>NEW SECTION.</u> Section 3. Effective date. [This act] is
- 2 effective on passage and approval.
- 3 NEW SECTION. SECTION 4. CODIFICATION INSTRUCTION.
- 4 (SECTION 2) IS INTENDED TO BE CODIFIED AS AN INTEGRAL PART
- 5 OF TITLE 50, CHAPTER 10, PART 1, AND THE PROVISIONS OF TITLE
- 6 50, CHAPTER 10, PART 1, APPLY TO (SECTION 2).

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-End-

1 patient, as defined in 50-9-102, or that the possessor's HOUSE BILL NO. 489 1 attending physician has issued a do not resuscitate order 2 2 INTRODUCED BY R. JOHNSON 3 for the possessor and has documented the grounds for the 3 4 order in the possessor's medical file. A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT THE 4 5 (5) "Do not resuscitate order" means a directive from a POSSESSOR OF A DO NOT RESUSCITATE IDENTIFICATION MAY BE THE 5 6 licensed physician that emergency life-sustaining procedures SUBJECT OF A LIVING WILL DECLARATION AND MUST BE IN A 6 7 should not be administered to a particular person. TERMINAL CONDITION; REQUIRING A DNR IDENTIFICATION FORM TO 7 8 (6) "Do not resuscitate protocol" means a standardized BE READILY AVAILABLE; AMENDING SECTION 50-10-101, MCA; AND 8 method of procedure, approved by the board and adopted in 9 PROVIDING AN IMMEDIATE EFFECTIVE DATE." 9 the rules of the department, for the withholding of 10 10 11 emergency life-sustaining procedures by physicians and BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 12 emergency medical services personnel. Section 1. Section 50-10-101, MCA, is amended to read: 12 (7) "Emergency medical services personnel" has the 13 "50-10-101. Definitions. As used in this part, unless 13 14 meaning provided in 50-9-102. the context clearly requires otherwise, the following 14 15 (8) "Health care facility" has the meaning provided in 15 definitions apply: 16 50-5-101. (1) "Attending physician" has the meaning provided in 16 17 (9) "Life-sustaining procedure" means cardiopulmonary 17 50-9-102. 18 resuscitation or component of cardiopulmonary a (2) "Board" means the state board of medical examiners. 18 19 resuscitation. (3) "Department" means the department of health and 19 20 (10) "Physician" means a person licensed under Title 37, environmental sciences. 20 21 chapter 3, to practice medicine in this state." (4) *DNR identification" means a standardized 21 NEW SECTION. SECTION 2. DNR FORM 22 TO BE READILY 22 identification card, form, necklace, or bracelet of uniform AVAILABLE. THE DEPARTMENT SHALL ENSURE THAT 23 size and design, approved by the department, that signifies THE DNR 23 IDENTIFICATION FORM APPROVED BY THE DEPARTMENT IS READILY 24 24 that the possessor has-executed-a-declarationy--as--provided 25 AVAILABLE AT NO COST OR AT A NOMINAL CHARGE. in--50-9-103y--that--has--not--been--revoked is a qualified 25



HB 489

THIRD READING

-2-

NEW SECTION. Section 3. Effective date. [This act] is
 effective on passage and approval.

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REFERENCE BILL

HB 489

-2-

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-End-