

HOUSE BILL 88

Introduced by Russell, et al.

12/10	Introduced
12/10	Referred to Human Services & Aging
12/10	First Reading
12/10	Fiscal Note Requested
12/15	Hearing
12/15	Fiscal Note Received
12/15	Fiscal Note Printed
12/16	Committee Report--Bill Passed as Amended
12/17	2nd Reading Passed
12/17	3rd Reading Failed

1 *House* BILL NO. *88*
2 INTRODUCED BY *Barth*
3 *Smith*
4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE
5 DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES TO ESTABLISH
6 AN OSTEOPOROSIS PREVENTION AND EDUCATION PROGRAM; AND
7 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 NEW SECTION. **Section 1.** Definitions. As used in
11 [sections 1 through 4], the following definitions apply:

12 (1) "Department" means the department of health and
13 environmental sciences provided for in Title 2, chapter 15,
14 part 21.

15 (2) "Osteoporosis" means a bone disease characterized
16 by a reduction in bone density accompanied by increasing
17 porosity and brittleness and associated with loss of calcium
18 from the bones.

19 NEW SECTION. **Section 2.** Osteoporosis prevention and
20 education program. (1) The department may establish,
21 promote, and maintain an osteoporosis prevention and
22 education program to promote public awareness of causes of
23 osteoporosis, options for prevention, the value of early
24 detection, and possible treatments (including the benefits
25 and risks of those treatments).

1 (2) The program must include the following:
2 (a) development of a public education and outreach
3 campaign to promote osteoporosis prevention and education,
4 including but not limited to:
5 (i) causes and nature of the disease;
6 (ii) risk factors;
7 (iii) the role of hysterectomy;
8 (iv) prevention of the disease, including nutrition,
9 diet, and physical exercise;
10 (v) diagnostic procedures and appropriate indications
11 for their use;
12 (vi) hormone replacement, including benefits and risks;
13 (vii) environmental safety and injury prevention; and
14 (viii) the availability of osteoporosis diagnostic
15 treatment services in the community;
16 (b) development of educational materials to be made
17 available for consumers, particularly targeted toward
18 high-risk groups, through local health departments, local
19 physicians, other health care providers, and women's
20 organizations;
21 (c) development of professional education programs for
22 health care providers to assist them in understanding
23 research findings and the subjects set forth in subsection
24 (2)(a); and
25 (d) development and maintenance of a list of current

1 providers of specialized services for the prevention and
 2 treatment of osteoporosis. Dissemination of the list must be
 3 accompanied by a description of diagnostic procedures,
 4 appropriate indications for their use, and a cautionary
 5 statement about the current status of osteoporosis research,
 6 prevention, and treatment. The statement must also indicate
 7 that the department does not license, certify, or in any
 8 other way approve osteoporosis programs or centers in the
 9 state.

10 **NEW SECTION. Section 3. Osteoporosis advisory council.**

11 (1) The department may establish an osteoporosis advisory
 12 council to be appointed by the director of the department.
 13 The purpose of the advisory council is to assist the
 14 department in implementing [sections 1 through 4].

15 (2) The advisory council must include:

- 16 (a) a person with osteoporosis;
- 17 (b) a representative from a women's health
- 18 organization;
- 19 (c) a public health educator;
- 20 (d) an expert in bone and osteoporosis research,
- 21 prevention, and treatment; and
- 22 (e) five health care providers, representing the
- 23 following professions:
- 24 (i) radiology;
- 25 (ii) orthopedics;

- 1 (iii) nursing;
- 2 (iv) physical therapy; and
- 3 (v) nutrition.
- 4 (3) The members of the advisory council may not be
- 5 compensated or reimbursed from state funds for their
- 6 expenses in performing council duties.

7 **NEW SECTION. Section 4. Special revenue account --**
 8 **donations.** There is an account in the state special revenue
 9 fund. The department shall deposit in the account money
 10 received from gifts, grants, bequests, or endowments from
 11 public or private sources. The funds must be used to carry
 12 out the provisions of [sections 1 through 4]. The money in
 13 the account may be spent in accordance with a legislative
 14 appropriation.

15 **NEW SECTION. Section 5. Codification instruction.**
 16 [Sections 1 through 4] are intended to be codified as an
 17 integral part of Title 50, and the provisions of Title 50
 18 apply to [sections 1 through 4].

19 **NEW SECTION. Section 6. Effective date.** [This act] is
 20 effective on passage and approval.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0088, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION: This act provides for development of an osteoporosis prevention and education program.

ASSUMPTIONS:

1. Currently the Department of Health and Environmental Sciences (DHES) does not have sufficient funds or FTE available to implement and manage the program. The department would need one FTE with associated costs of \$33,000 for personal services and \$20,500 for operating expenses to implement and establish this program.
2. One year of funds from grants, gifts, bequests and endowments from public and private sources will be accumulated in the state special revenue account established for this program. In January 1995, the department will begin to implement the program if sufficient funds have been donated.

FISCAL IMPACT: No general fund impact. The program would be funded through gifts, grants, bequests and endowments from public or private sources.

TECHNICAL NOTES: No provision for reimbursing an advisory council is made in the bill. This may make it difficult to secure statewide participation as specified. Also, an appropriation of funds from the state special revenue account will need to be made to the department, to implement and operate of this program.

 12-14

DAVID LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

 12-15-93

ANGELA RUSSELL, PRIMARY SPONSOR DATE
Fiscal Note for HB0088, as introduced

HB 88

APPROVED BY COMM. ON
HUMAN SERVICES AND AGING

HOUSE BILL NO. 88

INTRODUCED BY RUSSELL, BARNHART, BROOKE,

HANSEN, SMITH, SIMON, BOHLINGER

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE
DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES TO ESTABLISH
AN OSTEOPOROSIS PREVENTION AND EDUCATION PROGRAM; AND
PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. **Section 1. Definitions.** As used in
[sections 1 through 4], the following definitions apply:

(1) "Department" means the department of health and
environmental sciences provided for in Title 2, chapter 15,
part 21.

(2) "Osteoporosis" means a bone disease characterized
by a reduction in bone density accompanied by increasing
porosity and brittleness and associated with loss of calcium
from the bones.

NEW SECTION. **Section 2. Osteoporosis prevention and
education program.** (1) The department may establish,
promote, and maintain an osteoporosis prevention and
education program to promote public awareness of causes of
osteoporosis, options for prevention, the value of early
detection, and possible treatments (including the benefits

and risks of those treatments).

(2) The program must include the following:

(a) development of a public education and outreach
campaign to promote osteoporosis prevention and education,
including but not limited to:

(i) causes and nature of the disease;

(ii) risk factors;

(iii) the role of hysterectomy;

(iv) prevention of the disease, including nutrition,
diet, and physical exercise;

(v) diagnostic procedures and appropriate indications
for their use;

(vi) hormone replacement, including benefits and risks;

(vii) environmental safety and injury prevention; and

(viii) the availability of osteoporosis diagnostic
treatment services in the community;

(b) development of educational materials to be made
available for consumers, particularly targeted toward
high-risk groups, through local health departments, local
physicians, other health care providers, and women's
organizations;

(c) development of professional education programs for
health care providers to assist them in understanding
research findings and the subjects set forth in subsection
(2)(a); and

1 (d) development and maintenance of a list of current
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 9 other way approve osteoporosis programs or centers in the
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 13 council to be appointed by the director of the department.
 14 The purpose of the advisory council is to assist the
 15 department in implementing [sections 1 through 4].

16 (2) The advisory council must include:

- 17 (a) a person with osteoporosis;
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 19 organization;
- 20 (c) a public health educator;
- 21 (d) an expert in bone and osteoporosis research,
 22 prevention, and treatment; and
- 23 (e) five health care providers, representing the
 24 following professions:
- 25 (i) radiology;

- 1 (ii) orthopedics;
- 2 (iii) nursing;
- 3 (iv) physical therapy; and
- 4 (v) nutrition.

5 (3) The members of the advisory council may not be
 6 compensated or reimbursed from state funds for their
 7 expenses in performing council duties.

8 NEW SECTION. Section 4. Special revenue account --
 9 donations. There is an account in the state special revenue
 10 fund. The department shall deposit in the account money
 11 received from gifts, grants, bequests, or endowments from
 12 ~~public-or-private~~ NONFEDERAL sources. The funds must be used
 13 to carry out the provisions of [sections 1 through 4]. The
 14 money in the account may be spent in accordance with a
 15 legislative appropriation. MONEY FROM ANY FEDERAL SOURCE
 16 MUST BE DEPOSITED IN THE FEDERAL SPECIAL REVENUE FUND.

17 NEW SECTION. Section 5. Codification instruction.
 18 [Sections 1 through 4] are intended to be codified as an
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