

*House* BILL NO. *472*

INTRODUCED BY *Tim Ely*

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT HEALTH CARE FACILITIES PROVIDE A CUSTOMER WITH A DETAILED ESTIMATE OF COSTS OF MEDICAL SERVICES AND PROCEDURES THAT THE CUSTOMER IS LIKELY TO NEED IN ANY NONEMERGENCY SITUATION; ESTABLISHING THE PROVISION OF COST INFORMATION AS A CONDITION FOR HOSPITAL LICENSURE; AND AMENDING SECTION 50-5-203, MCA."

STATEMENT OF INTENT

A statement of intent is required for this bill because [section 1] extends the rulemaking authority granted to the department of public health and human services in 50-5-103 to clarify what constitutes a situation that requires emergency treatment in a health care facility.

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

**Section 1.** Section 50-5-203, MCA, is amended to read:

**"50-5-203. Application for license.** The procedure to apply for a license is as follows:

(1) At least 30 days prior to the opening of a facility and after that no later than the expiration date of the license, application is made to the department accompanied by the license fee.

(2) The application ~~shall~~ must contain:

(a) the name and address of the applicant if an individual, the name and address of each member if a firm, partnership, or association, or the name and address of each officer if a corporation;

(b) the location of the facility;

(c) the name of the person or persons who will manage or supervise the facility;

(d) the number and type of patients or residents for which care is provided;

(e) any information ~~which~~ that the department may require pertaining to the number, experience, and training of employees;

(f) information on ownership, contract, or lease agreement if operated by a person other than the owner; and

1           (g) detailed information concerning the estimable costs of medical services and procedures that  
2           the facility may offer to patients in nonemergency situations and the hospital administration's plan for  
3           providing this information to a customer at the customer's request and prior to the customer's receiving  
4           any medical services as a patient in the facility. For the purposes of this subsection, "nonemergency  
5           situation" means a situation in which the patient does not enter the facility needing or seeking emergency  
6           treatment as defined by the hospital administration in accordance with rules issued by the department."

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8           **NEW SECTION.** **Section 2. Cost estimate required -- exception.** (1) A health care facility licensed  
9           under 50-5-201 through 50-5-204 shall provide to any customer or potential customer, at that person's  
10          request, a reasonable estimate of the costs of medical services and procedures that the customer is likely  
11          to need while the customer is a patient in the facility. These estimates may be based upon the average  
12          charge for a procedure in the past year and may state that individual charges may vary.

13          (2) A health care facility is not required to comply with the provisions in subsection (1) if the  
14          customer is admitted to the hospital in an emergency situation as defined by the hospital administration in  
15          accordance with rules issued by the department.

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17          **NEW SECTION.** **Section 3. Codification instruction.** [Section 2] is intended to be codified as an  
18          integral part of Title 50, chapter 5, and the provisions of Title 50, chapter 5, apply to [section 2].

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