MONTANA SENATE
2005 LEGISLATURE

ROLL CALL

BUSINESS AND LABOR

DATE 2/18/05

NAMES	PRESENT	ABSENT	EXCUSED
SEN. VICKI COCCHIARELLA (D), CHAIRWOMAN	X		
SEN. JOE TROPILA (D), VICE CHAIRMAN	X		
SEN. JOE BALYEAT (R)	X		
SEN. DUANE GRIMES (R)	X		
SEN. DAVE LEWIS (R)	X		
SEN. GLENN ROUSH (D)	X		
SEN. FRANK SMITH (D)	X		
SEN. CAROLYN SQUIRES (D)	X		
SEN. DONALD STEINBEISSER (R)	X		
SEN. BILL TASH (R)	X		
SEN. JON TESTER (D)			X
PAT MURDO, LSD	X		
ANNIE GLOVER, COMMITTEE SECRETARY	X		

SENATE STANDING COMMITTEE REPORT

February 18, 2005

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 443** (first reading copy -- white) **do pass**.

Signed: Vicki Cocchiarella
Senator Vicki Cocchiarella, Chair

- END -

Committee Vote:
Yes 10, No 1.

401242SC.ssc

Kf

SENATE STANDING COMMITTEE REPORT

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 454** (first reading copy -- white) **do pass as amended.**

Signed: Vicki Cocchiarella
Senator Vicki Cocchiarella, Chair

And, that such amendments read:

1. Title, page 1, line 7.
Following: "PROVIDING"
Insert: "AN IMMEDIATE EFFECTIVE DATE AND"

2. Page 4.
Following: line 22
Insert: "NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval."
Renumber: subsequent section

- END -

Committee Vote:
Yes 11, No 0.

401348SC.ssc

SENATE STANDING COMMITTEE REPORT

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 451** (first reading copy -- white) **do pass as amended.**

Signed: Vicki Cocchiarella
Senator Vicki Cocchiarella, Chair

And, that such amendments read:

1. Page 2, line 9.
Following: "~~disorders~~"
Insert: "nonmedical"

2. Page 2, lines 10 through 27.
Strike: "These services" on line 10 through "impairment." on line 27

3. Page 2, line 30.
Following: "~~disorders~~"
Insert: "nonmedical"

4. Page 3, lines 1 through 18.
Strike: "These services" on line 1 through "disorders." on line 18

- END -

Committee Vote:
Yes 11, No 0.

401626SC.sjo

COMMITTEE FILE COPY

TABLED BILL

The **SENATE BUSINESS, LABOR, AND ECONOMIC AFFAIRS COMMITTEE** TABLED **SB 424, SB 425**, by motion, on **Friday, February 18, 2005**.

(For the Committee)

(Secretary of Senate)

10:00 , 2-19
(Time) (Date)

February 19, 2005 Annie L. Glover, Secretary Phone: 444-4762

SENATE STANDING COMMITTEE REPORT

February 18, 2005

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 388** (first reading copy -- white) **do pass as amended.**

Signed: Vicki Cocchiarella
Senator Vicki Cocchiarella, Chair

And, that such amendments read:

1. Page 1, line 22.
Strike: "Except" through "if"
Insert: "If"

2. Page 1, lines 23 through 24.
Strike: "that" on line 23 through "adjusters" on line 24

3. Page 1, line 26 through line 27.
Strike: subsection (b) in its entirety
Renumber: subsequent subsection

4. Page 1, line 28.
Following: "provide"
Insert: ", without prejudice or bias,"

5. Page 2, line 1.
Strike: "reasonably"

6. Page 2, line 2.
Strike: "reasonable"

7. Page 2, line 4 through line 5.

Committee Vote:
Yes 9, No 2.

401233SC.ssc

Strike: "and" on line 4 through "condition" on line 5
Insert: "that meet industry standards"

- END -

SENATE STANDING COMMITTEE REPORT

February 18, 2005

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 114** (first reading copy -- white) **do pass as amended.**

Signed: Vicki Cocchiarella
Senator Vicki Cocchiarella, Chair

And, that such amendments read:

1. Title, page 1, line 6.
Following: "AUTHORITY"
Insert: "UNLESS OTHERWISE ALLOWED UNDER THE INSURANCE CODE"

2. Page 2, lines 3 through 4.
Strike: "by a" on line 3 through "33-2-101" on line 4
Insert: "in this code"

- END -

Committee Vote:
Yes 9, No 2.

401604SC.sjo

KP

SENATE STANDING COMMITTEE REPORT

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 380** (first reading copy -- white) **do pass as amended.**

Signed: _____
Senator Vicki Cocchiarella, Chair

And, that such amendments read:

1. Title, page 1, line 10.
Following: "DISCOUNT CARDS;"
Insert: "PROVIDING CERTAIN EXCEPTIONS, INCLUDING A WAIVER FOR PREFERRED PROVIDER ORGANIZATIONS;"

2. Page 1, line 19.
Strike: "10"
Insert: "11"

3. Page 4, line 2.
Strike: "10"
Insert: "11"

4. Page 4, line 4.
Strike: "10"
Insert: "11"

5. Page 4, line 8.
Strike: "10"
Insert: "11"

6. Page 4.
Following: line 9
Insert: "(1) "Administrator" has the meaning provided for in 33-

Committee Vote:
Yes 11, No 0.

401700SC.sjo

17-102(3)."
Renumber: subsequent subsections

7. Page 4, line 20.
Strike: "(2)(a)"
Insert: "(3)(a)"

8. Page 4, line 22.
Strike: "(2)(a)"
Insert: "(3)(a)"

9. Page 4, line 23.
Strike: "(2)(a)"
Insert: "(3)(a)"

10. Page 4, line 25.
Strike: "(2)(a)"
Insert: "(3)(a)"

11. Page 5.
Following: line 14
Insert: "(10) "Preferred provider organization company" means a company that contracts with health care providers for lower fees than those customarily charged by the health care provider for services and contracts with health insurance issuers, administrators, or self-insured employers to provide access to those lower fees to a particular group of insureds, subscribers, participants, beneficiaries, members, or claimants."
Renumber: subsequent subsections

12. Page 5, line 30.
Following: "medical"
Strike: "are"
Insert: "care"

13. Page 6, lines 1 through 5.
Strike: subsection (c) in its entirety
Insert: "(c) shall provide to a prospective purchaser or user, before purchase, access to a list of health care providers, including the name, address, telephone number, and provider type of each health care provider in the prospective purchaser's or user's service area; and"

14. Page 6, line 12.
Following: the first "cards"
Strike: "and on all cards themselves"

15. Page 6, line 13.
Following: "size,"
Insert: "and on all cards themselves in clear and conspicuous type,"

16. Page 6, line 16.
Strike: "10"
Insert: "11"

17. Page 6, line 18 through line 19.
Strike: subsection (c) in its entirety
Insert: "(c) ensure that if the medical care discount card supplier claims that a specific health care provider offers a discount in conjunction with the medical care discount card, that specific health care provider is contractually bound to provide that discount to the purchaser or user."

18. Page 6, line 25.
Following: the first "fees,"
Strike: "including enrollment fees, paid for"
Insert: "except nominal fees associated with enrollment costs, that were part of the cost of"

19. Page 6, line 30.
Strike: "card issued by it contains"
Insert: "purchaser or user receives with the card"

20. Page 7, line 6.
Following: "**required**"
Insert: "**-- exceptions**"

21. Page 7, line 24.
Strike: "10"
Insert: "11"

22. Page 8.

Following: line 1
Insert: "(7) An administrator that is authorized to do business in this state and that provides medical care discount cards to Montana residents who are members of self-funded group health plans administered by that administrator is not required to obtain a certificate of registration pursuant to this section."
Renumber: subsequent subsections

23. Page 8, line 3.
Following: "commissioner"
Strike: "on"
Insert: "by"

24. Page 8, line 6.
Following: the second "list"
Strike: "quarterly"
Insert: "annually"

25. Page 8, line 11.
Following: "accounts"
Insert: "-- exemptions"

26. Page 8, line 16.
Strike: "$500,000"
Insert: "$50,000"

27. Page 8, line 18.
Strike: "$500,000"
Insert: "$50,000"

28. Page 8, line 30.
Strike: "$500,000"
Insert: "$50,000"

29. Page 9, line 1.
Strike: "$500,000"
Insert: "$50,000"

30. Page 9, line 5.
Strike: "10"

Insert: "11"

31. Page 9, line 6.
Strike: "10"
Insert: "11"

32. Page 9, line 9.
Strike: "10"
Insert: "11"

33. Page 9, line 11.
Strike: "10"
Insert: "11"

34. Page 9.
Following: line 18
Insert: "(10) An administrator that is authorized to do business in this state and that provides medical care discount cards to Montana residents who are members of self-funded group health plans administered by that administrator is exempt from the requirements of this section."

Insert: "NEW SECTION. **Section 10. Waiver of registration and bonding requirements.** The commissioner may waive the requirements of [sections 8 and 9] for any preferred provider organization company. The factors taken into account in granting a waiver include but are not limited to whether the company:

(1) has contracts in place with health care providers residing in this state;

(2) has contracts in place with users and purchasers of health care services residing in this state who use the medical care discount card in conjunction with a self-funded or fully insured health plan;

(3) is primarily in the preferred provider organization business or primarily in the medical care discount card supplier business; and

(4) was in business in this state prior to [the effective date of the act]."
Renumber: subsequent sections

35. Page 9, lines 23 through 25.
Strike: "other purchasing" on line 23 through "mechanisms" on line 24
Insert: "enrollment materials"
Following: "insurance"

Strike: ", are not" on line 24 through "insurance," on line 25

36. Page 10, lines 14 through 15.
Strike: subsection (i) in its entirety
Renumber: subsequent subsections

37. Page 10, line 16.
Strike: "advertising"
Insert: "enrollment materials"

38. Page 10, line 25.
Strike: "10"
Insert: "11"

39. Page 10, line 30.
Strike: "10"
Insert: "11"

40. Page 11, line 1.
Strike: "10"
Insert: "11"

41. Page 11, line 3.
Strike: "10"
Insert: "11"

- END -

SENATE STANDING COMMITTEE REPORT

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **Senate Bill 481** (first reading copy -- white) **do pass as amended.**

Signed: Vicki Cocchiarella
Senator Vicki Cocchiarella, Chair

And, that such amendments read:

1. Page 1, lines 27 through 30.
Following: "(2)" on line 27
Strike: remainder of line 27 through "injury" on line 30
Insert: "When the same medical condition may be claimed as an injury and an occupational disease, compensation payable to the claimant, the claimant's beneficiaries, or the claimant's dependents may not be duplicated for the same conditions over the same time period"

2. Page 6, line 24.
Following: "known"
Strike: "of exposure to"
Insert: "that the worker's condition resulted from"

3. Page 37, line 27.
Following: line 26
Insert: "NEW SECTION. **Section 40. Coordination instruction.** If House Bill No. 126 is passed and approved and if it includes a section that repeals 39-71-416, then [section 21 of this act], amending 39-71-416, is void."
Renumber: subsequent sections

- END -

Committee Vote:
Yes 11, No 0.

401605SC.sjo

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PROXY VOTE

I, the undersigned, hereby authorize Senator Cocchiarella to vote my proxy on any issue before the Senate Business, Labor, & Economic Affairs Committee held on Feb. 18, 2005.

SENATOR
STATE OF MONTANA

MONTANA STATE SENATE
2005 LEGISLATURE

VISITOR REGISTER

BUSINESS AND LABOR

DATE 2/18/05 **BILLS BEING HEARD TODAY** _____

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Darrell Micken	406 587 4517	MT Speech & Hearing Assn. Speech & Hearing Licensure Brd.	451	✓	
Pat Melby	442-7450	Mt Med Assn	451		✓
Russ Ritter	449-6510	Mt Bank	424/425		✓
Roger Hagan	459-0773	Enlisted & Officer Assoc of NG of MT	443	✓	
Keith Colbo	443-1593	MIB	424/425		✓
Laura Jo McKamey	434-7242	MSHA	451	✓	
Nanette Smith	443-1570	MSHA	451	✓	
Steve Turkiewicz	443-4121	MBA	424/425		✓
Tempi Runt	443-4121	MBA	424/425		✓
John Morrison		SAO	424/425	X	
Alicia Pichette		SAO	457	~~X~~	X
Gloria Hermanson	449-2334	MT Soc of Otolaryngology	451		X
Janis Hayes-Strum	245-6149	Montana Speech Hearing Ass.	451	X	
Jeanne Spino	443-4853	Montana Sp & Hrg. Assoc	451	✓	
Scott Pargot	457-4160	MT Soc. of Otolaryngology	451		✓
Tracie Kenyon	442-9081	Montana Credit Union Dept	424/425		✓
Roger McGlenn	442-9553	FIAM	457	✓	
Larry Hubbell	360-770 6925	PCI	457	✓	
Frank Cote	3-7070	FUMIC	457	✓	
Mina Jamison	442-5581	Wells Fargo Fin.	454	✓	
[illegible]	723-4431	AFSA	454	X	
George Loendorf	442-6354	Mt Consumer Finance Assn	454	X	
Jon Metropoulos	2-5560	FIO, State Farm	443		✓

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

Greg Van Horssen	State Farm	443		✓
Jackie Lenmark	AIA	443		✓