

SENATE BILL NO. 32

INTRODUCED BY T. SCHMIDT

BY REQUEST OF THE CHILDREN, FAMILIES, HEALTH, AND HUMAN SERVICES INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT ~~AUTHORIZING~~ ALLOWING THE LOCAL ~~OR LONG-TERM CARE~~ OMBUDSMAN ~~TO ENTER~~ ACCESS TO A LONG-TERM CARE FACILITY ~~AT ANY TIME NECESSARY~~ AFTER NORMAL VISITING HOURS WITH THE APPROVAL OF THE LONG-TERM CARE OMBUDSMAN TO PERFORM THE OMBUDSMAN'S DUTIES; AND AMENDING SECTION 52-3-604, MCA."

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

Section 1. Section 52-3-604, MCA, is amended to read:

"52-3-604. Access to long-term care facilities. (1) ~~The~~ SUBJECT TO SUBSECTION (2), THE long-term care ombudsman or local ombudsman ~~shall~~ must have access without advance notice to any long-term care facility, including private access to any resident, for the purpose of meeting with residents, investigating and resolving complaints, and advising residents on their rights.

(2) Access must be granted to the long-term care ombudsman or local ombudsman ~~during normal visiting hours (9 a.m. to 6 p.m.) and to the long-term care ombudsman~~ DURING NORMAL VISITING HOURS AND TO THE LONG-TERM CARE OMBUDSMAN at any time ~~he considers that either of them considers~~. A LOCAL OMBUDSMAN MAY HAVE ACCESS AFTER NORMAL VISITING HOURS WITH APPROVAL, DIRECTIONS, AND OVERSIGHT OF THE LONG-TERM CARE OMBUDSMAN WHEN necessary to perform the duties described in 52-3-603.

(3) The ombudsman shall carry out the duties described in 52-3-603 in a manner that is least disruptive to resident care and activities."

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