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PUBLIC HEALTH, WELFARE & SAFETY

Exhibit No. 1

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Bill No. 38289



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February 12, 2007

Senate Bill 289

Chairman Weinberg

I want to thank Senator Gallus for bringing forward this bill to address an issue that we thought was covered when this law was first written.

Montana's asthma medication access law provides children with asthma the process to be able to carry and self-administer their medications, especially during emergency situations and away from any other help. The doctor will only provide the orders to do so for children he/she knows need it and know how to use it following the doctors instructions.

Included in testimony during the last legislative session was information about children with allergies that need to be able to use epinephrine during periods of anaphylaxis, also life threatening.

Information about using the anaphylaxis medication is in the existing law, but there has been some confusion in the schools on if that medication is also included in the law. Clearing that up is important.

There was a very similar bill drafted by Representative Becker to address this problem but was dropped once we knew this other bill was already in the works.

There are a few minor changes that need to occur with this bill, that if not made could create even more confusion.

In general, where ever the word asthma appears it should be accompanied by either:

- 1) and anaphylaxis, or
- 2) and severe allergy, or
- 3) and anaphylaxis and severe allergy

In each section where the word "asthma" is crossed out. it needs to be reinserted with the additional language noted above.

By removing the work "asthma", it will create a bigger problem where there appears to be an open door for any medications, even though it is qualified later in the bill. Many who will read this law are not legal authorities and will argue that the intent is to allow any medications when in fact there is a very limited scope to the bill.

Dick Paulsen
Executive Director

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