BUSINESS & LABOR
EXHIBIT NO. 2
DATE 3-13-09
BILL NO. HB 390

Amendments to House Bill No. 390
3rd Reading Copy

Requested by Representative Michele Reinhart

For the Senate Business and Labor Committee

Prepared by Sue O'Connell
March 11, 2009 (10:17am)

1. Title, page 1, line 5.
**Strike:** "SECTION"
**Insert:** "SECTIONS"
**Following:** "50-5-101"
**Insert:** "AND 50-5-103"

2. Page 2.
**Following:** line 29
**Insert:** "(13) "Commission for the accreditation of birth centers" means the organization nationally recognized by that name that surveys outpatient birth centers upon their requests and grants accreditation status to outpatient birth centers that it finds meet its standards and requirements."
**Renumber:** subsequent subsections

3. Page 3, line 28.
**Following:** "mental health centers,"
**Insert:** "outpatient birth centers,"

4. Page 8, line 6.
**Strike:** "(56)"
**Insert:** "(57)"

5. Page 8.
**Following:** line 24
**Insert:** "(3) (a) A patient admitted to an outpatient birth center for labor and delivery must be discharged within 24 hours of the birth in accordance with standards as defined by rule.

(b) An outpatient birth center shall consult with or transfer care to a health care facility in the event of complications to the mother or newborn. If care is transferred to another health care facility, the outpatient birth center shall:

(i) before the transfer, provide notice to the health care facility, including the reason for transfer; and

(ii) during the transfer, provide the medical records related to the patient's condition."
**Renumber:** subsequent subsections

6. Page 8, line 28.
**Following:** ";"
**Strike:** "and"

7. Page 8, line 30.
**Strike:** "health care provider's scope of practice"
**Insert:** "patient's condition in the event of complications to the mother or newborn; and

(e) identification of accreditation by the commission for the accreditation of birth centers, if applicable, for purposes of meeting the licensing rules and standards as provided in 50-5-103"

8. Page 9.
**Following:** line 8
**Insert: "Section 3.** Section 50-5-103, MCA, is amended to read:

**"50-5-103. Rules and standards -- accreditation.** (1) The department shall adopt rules and minimum standards for implementation of parts 1 and 2.

(2) Any facility covered by this chapter shall comply with the state and federal requirements relating to construction, equipment, and fire and life safety.

(3) The department shall extend a reasonable time for compliance with rules for parts 1 and 2 upon adoption.

(4) Any hospital located in this state that furnishes written evidence required by the department, including the recommendation for future compliance statements to the department of its accreditation granted by the joint commission on accreditation of health care organizations, is eligible for licensure in the state for the accreditation period and may not be subjected to an inspection by the department for purposes of the licensing process. The department may, in addition to its inspection authority in 50-5-116, inspect any licensed health care facility to answer specific complaints made in writing by any person against the facility when the complaints pertain to licensing requirements. Inspection by the department upon a specific complaint made in writing pertaining to licensing requirements is limited to the specific area or condition of the health care facility to which the complaint pertains.

(5) The department may consider as eligible for licensure during the accreditation period any health care facility located in this state, other than a hospital, that furnishes written evidence, including the recommendation for future compliance statements, of its accreditation by the joint commission on accreditation of healthcare organizations. The department may inspect a health care facility considered eligible for licensure under this section to ensure compliance with state licensure standards.

(6) The department may consider as eligible for licensure during the accreditation period any rehabilitation facility that

furnishes written evidence, including the recommendation for future compliance statements, of accreditation of its programs by the commission on accreditation of rehabilitation facilities. The department may inspect a rehabilitation facility considered eligible for licensure under this section to ensure compliance with state licensure standards.

(7) The department may consider as eligible for licensure during the accreditation period any outpatient center for surgical services that furnishes written evidence, including the recommendation for future compliance statements, of accreditation of its programs by the accreditation association for ambulatory health care. The department may inspect an outpatient center for surgical services considered eligible for licensure under this section to ensure compliance with state licensure standards.

(8) The department may consider as eligible for licensure during the accreditation period any outpatient birth center that furnishes written evidence, including the recommendation for future compliance statements, of accreditation of its programs by the commission for the accreditation of birth centers. The department may inspect an outpatient birth center considered eligible for licensure under this section to ensure compliance with state licensure standards.

~~(8)~~(9) The department may consider as eligible for licensure during the accreditation period any behavioral treatment program, chemical dependency treatment program, residential treatment facility, or mental health center that furnishes written evidence, including the recommendation for future compliance statements, of accreditation of its programs by the council on accreditation. The department may inspect a behavioral treatment program, chemical dependency treatment program, residential treatment facility, or mental health center considered eligible for licensure under this section to ensure compliance with state licensure standards."

{*Internal References to 50-5-103:*
*50-5-104x* *50-5-207x* *50-5-207x* }"

**Renumber:** subsequent section

- END -