

## HOUSE BILL NO. 320

INTRODUCED BY T. SCHMIDT

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A BILL FOR AN ACT ENTITLED: "AN ACT ADDING A FIREFIGHTER TO THE BOARD OF MEDICAL EXAMINERS; DEFINING "FIREFIGHTER"; AMENDING SECTIONS 2-15-1731 AND 50-6-202, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**Section 1.** Section 2-15-1731, MCA, is amended to read:

**"2-15-1731. Board of medical examiners.** (1) There is a Montana state board of medical examiners.

(2) The board consists of ~~42~~ 13 members appointed by the governor with the consent of the senate.

Appointments made when the legislature is not in session may be confirmed at the next session.

(3) The members are:

(a) five members having the degree of doctor of medicine, including one member with experience in emergency medicine;

(b) one member having the degree of doctor of osteopathy;

(c) one member who is a licensed podiatrist;

(d) one member who is a licensed nutritionist;

(e) one member who is a licensed physician assistant;

(f) one member who is a volunteer emergency medical technician, as defined in 50-6-202; ~~and~~

(g) one member who is a firefighter, as defined in 50-6-202; and

~~(g)~~(h) two members of the general public who are not medical practitioners.

(4) (a) The members having the degree of doctor of medicine may not be from the same county.

(b) The volunteer emergency medical technician and the firefighter must have a demonstrated interest in and knowledge of state and national issues involving emergency medical service.

(c) Each member must be a citizen of the United States.

(d) Each member, except for public members, must have been licensed and must have practiced medicine, emergency medical care, or dietetics-nutrition in this state for at least 5 years and must have been a resident of this state for at least 5 years.

1 (5) Members shall serve staggered 4-year terms. A term begins on September 1 of each year of  
 2 appointment. A member may be removed by the governor for neglect of duty, incompetence, or unprofessional  
 3 or dishonorable conduct.

4 (6) The board is allocated to the department for administrative purposes only as prescribed in 2-15-121."  
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6 **Section 2.** Section 50-6-202, MCA, is amended to read:

7 **"50-6-202. Definitions.** As used in this part, the following definitions apply:

8 (1) "Board" means the Montana state board of medical examiners provided for in 2-15-1731.

9 (2) "Emergency medical technician" means a person who has been specially trained in emergency care  
 10 in a training program approved by the board and certified by the board as having demonstrated a level of  
 11 competence suitable to treat victims of injury or other emergent condition.

12 (3) "Firefighter" means an individual who is an emergency medical technician licensed pursuant to this  
 13 part, provides emergency medical care, and is employed by a fire department established pursuant to 7-33-4201  
 14 or a rural fire district established pursuant to 7-33-2101 that employs the individual on a regular basis and  
 15 compensates the individual with an hourly wage or salary to provide emergency medical care as part of the  
 16 individual's job duties.

17 ~~(3)~~(4) "Volunteer emergency medical technician" means an individual who is licensed pursuant to this  
 18 part and provides emergency medical care:

19 (a) on the days and at the times of the day chosen by the individual; and

20 (b) for an emergency medical service other than:

21 (i) a private ambulance company unless the care is provided without compensation and outside of the  
 22 individual's regular work schedule; or

23 (ii) a private business or a public agency, as defined in 7-1-4121, that employs the individual on a regular  
 24 basis with a regular, hourly wage to provide emergency medical care as part of the individual's job duties."  
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26 **NEW SECTION. Section 3. Effective date.** [This act] is effective on passage and approval.

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