

HOUSE BILL NO. 575

INTRODUCED BY K. SEEKINS-CROWE

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING SCHOOL DISTRICTS FROM OFFERING HEALTH CARE PROGRAMMING OR SERVICES THAT MAY CAUSE THE SPREAD OF INFECTIOUS AGENTS; PROVIDING AN EXCEPTION FOR SCHOOL-BASED HEALTH CENTERS EXCEPTIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. Section 1. Prohibition on health care programming or services that may transmit infectious agents -- EXCEPTIONS. (1) A school district is prohibited from offering any health care programming or services to students that would potentially cause the spread of infectious agents such as those contained in saliva, blood, or other human bodily fluids.

(2) This section:

(A) does not apply to services provided by a school-based health center; AND

(B) IS NOT INTENDED TO LIMIT OR PROHIBIT THE NORMAL COURSE OF CHRONIC OR ACUTE CARE DELIVERED BY SCHOOL STAFF OR BY EMPLOYED OR CONTRACTED SCHOOL NURSES OR SPEECH-LANGUAGE PATHOLOGISTS.

(3) For the purposes of this section, "infectious agent" means an agent with the following factors present simultaneously:

- (a) virulence, which is the ability of the agent to cause disease;
- (b) dose, which is an agent in sufficient quantity to cause infection;
- (c) portal of entry, which is an opening or route of access into a human body; and
- (d) host susceptibility, in which the host's natural resistance is incapable of preventing infection.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 20, chapter 5, part 4, and the provisions of Title 20, chapter 5, part 4, apply to [section 1].

1 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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