

# Proposal for Legislation – 2023 Legislative Session

## FICMMR Revisions

### Return to:

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### 1. What is the problem or issue?

Current MCA is written to allow for the decentralized operation of local Fetal, Infant, Child, and Mortality Review teams but does not include explicit authority for state level review teams. This legislation would allow DPHHS to establish state level review teams with appropriate authority to function efficiently and effectively. The current statutes are silent on state teams and do not provide the authority to allow access to confidential records for review, thus resulting in confusion and administrative burden. State level death review teams can make prevention recommendations to address statewide trends.

### 2. What do you want the legislation to do?

Revise MCA to clarify the existing Fetal, Infant, Child, Mortality Review statute and adjust language to allow for state level review teams to exist and function effectively within the authority given in the statute. This is important so state teams can access necessary reports and information for their reviews. MT DPHHS has approved and created a Montana Maternal Mortality Review Committee to review maternal deaths at a state level and has current funding to support this work. This legislation is not designed to grow DPHHS but instead to allow for the review of confidential records, put forth at the local level, utilizing existing resources. Updating the existing MCA would clarify and better support the existence of a state level review teams for any specific population that is currently reviewed at the local county level.

### 3. If possible, please list the MCA (Montana Code Annotated) sections that would need to be amended.

MCA 50-19-402, 50-19-404.

### 4. If the proposed change requires additional funding, what funding sources do you propose?

The agency does not require additional funding for this legislation.

### 5. Has similar legislation been requested in the past, been introduced in another state, or provided as a model act? If so, please provide a citation, reference, or

**point of contact.**

Similar legislation has not been requested in the past. The CDC does not provide a model act. Similar legislation has been introduced in other states which allow for both state level and local reviews, including [New Mexico](#). Many examples of legislation in other states establishing state level Maternal Mortality Reviews in statute can be found at [Resource Search Results | Review to Action](#).