

HOUSE BILL NO. 253

INTRODUCED BY B. MERCER

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TO DISCLOSE CERTAIN INFORMATION DURING A PUBLIC HEALTH EMERGENCY."

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

NEW SECTION. Section 1. Duties of department during public health emergency. (1) If the governor has declared a state of emergency pursuant to 10-3-303 that is considered a public health emergency, the department shall make, AT MINIMUM, a ~~daily~~ TWICE WEEKLY disclosure of health information in accordance with the confidentiality requirements of 50-16-603 on the department's website and any other means considered necessary to communicate to the public the total number of individuals:

(a) hospitalized in the state due to conditions, diagnoses, or other impacts to an individual's health that have been identified by the governor as a basis for the public health emergency; and

(b) who have died as a result of conditions, diagnoses, or other impacts to an individual's health that have been identified by the governor as a basis for the public health emergency.

(2) ~~For~~ EXCEPT AS PROVIDED IN SUBSECTION (3), FOR each category identified in subsections (1)(a) and (1)(b), the department shall disclose:

(a) the number of individuals within the following age cohorts:

(i) 0 to ~~5~~ 4;

(ii) ~~6 to 15~~ 5 TO 17;

(iii) ~~16 to 25~~ 18 TO 34;

(iv) ~~26 to 35~~ 35 TO 49;

(v) ~~36 to 45~~ 50 TO 64; AND

(vi) ~~46 to 55~~; 65 AND OLDER;

~~(vii) — 56 to 65;~~

~~(viii) — 66 to 75;~~

(ix) — 76 to 85;

(x) — 86 to 95; and

(xi) — 96 and above;

(b) the gender of individuals;

(c) any period of hospitalization of the individuals related to the conditions, diagnoses, or other impacts to an individual's health that have been identified by the governor as a basis for the public health emergency;

(d) the date of death, if applicable;

(e) underlying conditions, if any, that may have contributed to the hospitalization or death of the individuals; and

(f) if not disclosed pursuant to subsection (2)(e), for individuals who have died during the time period for which the department is disclosing the information required in this section, personal characteristics or conditions of the individuals that may be causally connected to mortality or morbidity known to be associated with the public health emergency.

(3) IF DISCLOSURE OF THE INFORMATION REQUIRED BY SUBSECTION (2) WOULD COMPROMISE PRIVACY, THE DEPARTMENT MAY ALTER HOW IT REPORTS THE INFORMATION, INCLUDING AGE COHORT GROUPINGS, OR NOT DISCLOSE THE INFORMATION.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 50, chapter 4 16, part 2 6, and the provisions of Title 50, chapter 4 16, part 2 6, apply to [section 1].

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