

HOUSE BILL NO. 442

INTRODUCED BY V. MOORE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING REPORTING REQUIREMENTS FOR CERTAIN PROFESSIONAL OCCUPATIONS; ELIMINATING THE REQUIREMENT FOR THE MEDICAL LEGAL PANEL TO SEND A LICENSING BOARD THE OUTCOME OF A DECISION; ELIMINATING THE REQUIREMENT FOR THE CHIROPRACTIC LEGAL PANEL TO SEND THE LICENSING BOARD THE OUTCOME OF A DECISION; REMOVING THE REQUIREMENT FOR AN INSURER TO REPORT TO THE BOARD OF MEDICAL EXAMINERS FOR ALLEGED PROFESSIONAL NEGLIGENCE; AMENDING SECTIONS 27-6-605, 27-12-605, 37-3-404, AND 37-3-405, MCA; AND REPEALING SECTION 37-3-402, MCA."

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

Section 1. Section 27-6-605, MCA, is amended to read:

"27-6-605. Decision to be filed and copies sent to parties, and attorneys, and licensing board.

The decision shall be communicated in writing to the parties and attorneys concerned, and a copy thereof shall be retained in the permanent files of the panel. A copy of the decision shall be sent to the health care provider's professional licensing board."

Section 2. Section 27-12-605, MCA, is amended to read:

"27-12-605. Decision to be filed and copies sent to parties, and attorneys, and licensing board.

A copy of the decision must be:

- (1) given to the parties and their attorneys; and
- (2) retained in the permanent files of the panel."

Section 3. Section 37-3-404, MCA, is amended to read:

"37-3-404. Immunity of person providing information. A person, organization, association, society, or health care facility which that in good faith provides information to the state board of medical examiners as

1 required by 37-3-401, ~~37-3-402~~, or 37-3-403 is not subject to suit for civil damages as a result thereof of
2 providing information."

3
4 **Section 4.** Section 37-3-405, MCA, is amended to read:
5 **"37-3-405. Suspension of license or privilege for failure to report.** The willful failure of any person,
6 organization, association, society, or health care facility to comply with 37-3-401, ~~37-3-402~~, or 37-3-403 is
7 grounds for suspension of any a license or privilege granted by the state of Montana. ~~Upon such failure, the~~
8 The agency granting the license or privilege may, in its discretion, suspend the license or privilege for a period
9 not to exceed 1 month for a failure to comply."

10
11 NEW SECTION. **Section 5. Repealer.** The following section of the Montana Code Annotated is
12 repealed:
13 37-3-402. Insurer to report to board.

14 - END -