

1 HOUSE BILL NO. 442
2 INTRODUCED BY V. MOORE

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING REPORTING REQUIREMENTS FOR CERTAIN
5 PROFESSIONAL OCCUPATIONS; ELIMINATING THE REQUIREMENT FOR THE MEDICAL LEGAL PANEL
6 TO SEND A LICENSING BOARD THE OUTCOME OF A DECISION; ELIMINATING THE REQUIREMENT
7 FOR THE CHIROPRACTIC LEGAL PANEL TO SEND THE LICENSING BOARD THE OUTCOME OF A
8 DECISION; REMOVING THE REQUIREMENT FOR AN INSURER TO REPORT TO THE BOARD OF
9 MEDICAL EXAMINERS FOR ALLEGED PROFESSIONAL NEGLIGENCE; AMENDING SECTIONS 27-6-605,
10 27-12-605, 37-3-404, AND 37-3-405, MCA; AND REPEALING SECTION 37-3-402, MCA."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13
14 **Section 1.** Section 27-6-605, MCA, is amended to read:
15 **"27-6-605. Decision to be filed and copies sent to parties, and attorneys, ~~and licensing board.~~**
16 The decision shall be communicated in writing to the parties and attorneys concerned, and a copy thereof shall
17 be retained in the permanent files of the panel. ~~A copy of the decision shall be sent to the health care provider's~~
18 ~~professional licensing board."~~

19
20 **Section 2.** Section 27-12-605, MCA, is amended to read:
21 **"27-12-605. Decision to be filed and copies sent to parties, and attorneys, ~~and licensing board.~~**
22 A copy of the decision must be:
23 (1) given to the parties and their attorneys; and
24 (2) retained in the permanent files of the panel."

25
26 **Section 3.** Section 37-3-404, MCA, is amended to read:
27 **"37-3-404. Immunity of person providing information.** A person, organization, association, society,
28 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 -