BUSINESS & LABOR
EXHIBIT NO. 1
DATE 2-10-09
BILL NO. SB 287

Amendments to Senate Bill No. 287
1st Reading Copy

Requested by Senator Joe Balyeat

For the Senate Business, Labor, and Economic Affairs Committee

Prepared by Sue O'Connell
February 6, 2009 (10:35am)

1. Page 1, line 28 through page 2, line 1.
Strike: subsection (1) in its entirety
Renumber: subsequent subsections

2. Page 2, line 14.
Following: "**acts.**"
Insert: "(1)"

3. Page 2, line 17.
Strike: "(1)"
Insert: "(a)"
Renumber: subsequent subsections

4. Page 2.
Following: line 21
Insert: "(d) provides a conventional medical disease diagnosis;
(e) directs or instructs a person to discontinue medical care or a medical treatment prescribed by a licensed health care provider;"
Renumber: subsequent subsections

5. Page 2, line 22.
Strike: "a chiropractic adjustment that uses"
Following: "low-amplitude"
Strike: "thrusting force"
Insert: "thrust to a joint"

6. Page 2, line 23 through line 26.
Strike: subsection (5) in its entirety
Insert: "(g) knowingly and purposely diagnoses and treats a physical or mental health condition of a client under circumstances or conditions that cause or create an imminent or discernible risk of significant bodily harm, serious physical or mental illness, or death; or"
Renumber: subsequent subsections

7. Page 2.
Following: line 28
Insert: "(2) For the purposes of subsection (1)(d), the following

activities are not a diagnosis:

(a) the use of medical terminology or common words to advise a client to see a licensed, certified, or registered health care provider in order to rule out a diagnosable condition;

(b) a statement by an individual that symptoms may be indicative of or consistent with a specific medical condition; or

(c) a statement by an individual that a client has a probability of significantly less than 100% of having a specific medical condition.

(3) The fact that an individual is providing unlicensed health care services is not evidence of an imminent or discernible risk of harm for the purposes of subsection (1)(g)."

8. Page 2, line 30.
Following: "**client**"
Insert: "**-- exception**"

9. Page 3, line 9.
Following: "qualifications"
Strike: ", if any,"

10. Page 3, line 11.
Following: "obtain"
Strike: "written"
Insert: "a signed"

11. Page 3, line 13.
Strike: "written"
Insert: "signed"

12. Page 3, line 14.
Strike: "written"
Insert: "signed"
Following: "years"
Insert: "after the last client contact"

13. Page 3.
Following: line 14
Insert: "(2) The statement required under subsection (1) must include the following language: "The State of Montana has not adopted any educational or training standards for individuals who provide unlicensed health care services. This disclosure is for informational purposes only. Under Montana law, an individual who provides unlicensed health care services may not provide a medical diagnosis or instruct or direct a person to discontinue a medically prescribed treatment. A client may seek at any time a medical diagnosis from a licensed health care provider qualified to make a diagnosis.""
Renumber: subsequent subsections

14. Page 3.
Following: line 20
Insert: "(5) Practitioners who are recognized within their community as traditional and cultural healers are exempt from the disclosure and acknowledgment requirements of this section."

- END -