

Proposal for Legislation -- 2009

Volunteers-Public Health Emergencies

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1. What is the problem or issue?

During a natural or manmade disaster or emergency, professionals and volunteers will be required to assist with preparation, response and recovery operations. At the present time, state law does not address several issues which are necessary to streamline the use of volunteer personnel during an emergency event including the provision of limited immunity and interstate licensure recognition of selected professionals.

2. What do you want the legislation to do?

This proposal will address two key issues: 1) provide limited immunity for the actions of volunteers acting as an agent or representative of the state or political subdivision, and 2) the recognition of Interstate licensure of selected professional needed to respond to events of significance.

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

Title 10, chapter 3 of MCA

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

Not applicable

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.

Yes, SB142 during the 2007 legislative session proposed legislation addressing a number of preparedness related issues, including the items proposed in this effort. Issues related to immunity were modeled after *The Model State Emergency Health Powers Act, prepared by: The Center for Law and the Public's Health at Georgetown and Johns Hopkins Universities for the Centers for Disease Control and Prevention.*