



January 18, 2021

RE: Opposition HB 145

Dear House Local Government Committee:

My name is Vicky Byrd, MSN, RN. I am a Registered Nurse and the CEO of the Montana Nurses Association (MNA). MNA is the recognized leader and advocate for the professional nurse in Montana. MNA promotes professional nursing practice, standards, and education; represents professional nurses; and provides nursing leadership in promoting high quality healthcare and overall public health.

MNA opposes Representative Fielder's House Bill 145 for the following reasons.

Local Boards of Health are selected by locally elected leaders, to make decisions to improve and meet our communities' specific health priorities, Montana Code Annotated 50-2-104. Local Health Boards have the health expertise to make decisions for the community.

HB #145 significantly impacts the local public health system by simply replacing the word orders to recommendations. The word change moves the science and evidence based public health decision making ability to a political lens authority of an elected body. We must assume that health care decisions through a political lens greatly increase liability coverage costs to the local government and potentially put our communities in harm's way as they lack the medical expertise and evidence based decisions made by public healthcare experts.

Concerns from the public health nurses would be to find out if any of these changes would limit the ability of the local health officers or their designee to enact control measures for reportable disease under the CD ARMs (37.114.501 and up), if it does and we have to go before a board every time to isolate a TB case or a pertussis case, or to institute outbreak control measures in facilities, then they really need to reconsider this and the liability it could bring. What if the ability to isolate involuntarily is taken away, there are a number of downstream issues. For example, the health officer can order isolation for someone who refuses to isolate, that has active tuberculosis, and those intentionally spreading HIV or other communicable reportable diseases. Limiting the health officer's ability to do that can be quite detrimental to the public health response. Health officers also limit people from working when they have salmonella for example, and are a food handler. Let's not tie the hands of the public health experts.

We all need to take a breath...Montana is in the midst of a global pandemic. Do not change Montana's public health laws that have worked well since they were legislated in 2007. Determine if there is need for these sweeping changes after the COVID dust settles. If these needs still exist, consider the 2023 session as the time to make these changes. Let the public health experts make the health decisions they are equipped to do. **NOW IS NOT THE TIME TO MAKE THESE CHANGES.**

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