

HOUSE BILL NO. 459

INTRODUCED BY K. KERNS

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING A HEALTH CARE PROVIDER OR HEALTH CARE FACILITY FROM REFUSING OR CONDITIONING THE PROVISION OF HEALTH CARE IF A PERSON REFUSES TO PROVIDE INFORMATION RELATING TO FIREARM OWNERSHIP, POSSESSION, OR USE."

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

NEW SECTION. **Section 1. Privacy in health care -- ownership of firearms.** (1) No health care provider or health care facility may:

(a) refuse to provide health care to a person because the person declines to answer any questions concerning the person's ownership, possession, or use of firearms; or

~~(b) require that a person, as a condition of receiving health care, complete an application or other form that contains questions about a person's ownership, possession, or use of firearms.~~

(B) INQUIRE ABOUT A PERSON'S OWNERSHIP, POSSESSION, OR USE OF FIREARMS AS A CONDITION OF RECEIVING HEALTH CARE.

(2) For the purposes of this section:

(A) the terms "health care", "health care facility", and "health care provider" have the meanings provided in 50-16-504; AND

(B) THE TERM "POSSESSION" DOES NOT APPLY TO THE PRESENCE OF A FIREARM ON THE PERSON OF A PATIENT AT THE TIME OF TREATMENT.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 50, chapter 16, and the provisions of Title 50, chapter 16, apply to [section 1].

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