

MONTANA

Overview			
<p>Montana statues require adult day care licensure through the Department of Health and Human Services. Regulations for licensing are described in this profile.</p> <p>The Department of Health and Human Services provides adult day care under the Physically Disabled and Elderly Waiver and the Developmentally Disabled Waiver through licensed providers.</p>			
Licensure and Certification Requirements			
Licensure Only <input checked="" type="checkbox"/>	Certification Only <input type="checkbox"/>	Both Required <input type="checkbox"/>	Other <input type="checkbox"/>
Definitions			
<p>Adult day care center means a facility, freestanding or connected to another health care facility, that provides adults, on a regularly scheduled basis, with the care necessary to meet the needs of daily living but that does not provide overnight care.</p>			
Parameters for Who Can Be Served			
<p>Providers may serve frail, impaired elderly or other disabled adults. No other provisions identified.</p>			
Inspection and Monitoring			
Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>	
<p>After receipt of an application for a new license, the department shall conduct an initial inspection within 45 days. After receipt of an application for renewal of a license, the department shall inspect the facility without prior notice to the operator or staff.</p> <p>Routine licensure surveys are conducted every 1-3 years and are unannounced. Duration of the license is dependant on the number and type of deficiencies found during inspection, and if any deficiencies relate to the health, safety, and welfare of a resident, a provisional license or a 1-year license will be issued.</p> <p>In addition to its annual licensure inspections, the department may inspect any facility for compliance without prior notice to the owner or staff of the facility.</p>			

Required and Optional Services		
	Adult Day Care	
	Required	Optional
Activities of Daily Living (ADL) Assistance	X	
Health Education and Counseling		
Health Monitoring/Health-Related Services		
Medication Administration	X	
Nursing Services		
Physical Therapy, Occupational Therapy, or Speech Therapy		
Skilled Nursing Services		
Social Services		
Transportation		
Provisions Regarding Medications		
If a client is required to take medication while at the center, the client must be capable of taking his or her own medications, with the following assistance from staff: (1) reminding the client to take the medication at the proper time, (2) removing medication containers from storage, (3) assisting with removal of a cap, (4) guiding the hand of the client, and (5) observing the client take the medication.		
Provisions for Groups with Special Needs		
Dementia <input type="checkbox"/>	Mental Retardation/ Developmental Disabilities <input checked="" type="checkbox"/>	Other <input type="checkbox"/>
Staffing Requirements		
<p>Type of staff. Each adult day care center must employ a <i>manager</i>. The center must at all times employ sufficient staff to provide the services required by the number and characteristics of its clients.</p> <p>Under the Administrative Code for Developmental Disability, an adult day service provider must employ staff experienced in providing services to persons with developmental disabilities, particularly to persons of advanced age.</p> <p>Staffing ratios. At least one employee must be present in the center at all times in which a client is present at the center.</p>		
Training Requirements		
<p>Orientation must include: (1) an overview of the center's policies and procedures manual and a presentation regarding how the policies and procedures are to be used and implemented; (2) a review of the employee's job description; (3) a review of services provided by the facility; (4) simulated fire prevention, evacuation, and disaster drills; (5) basic techniques of identifying and correcting potential safety hazards in the facility; and (6) emergency procedures, such as basic first aid.</p> <p>Under the Administrative code for Developmental Disability, a provider must provide in-service training in first aid, cardiopulmonary resuscitation (CPR), behavior management, and "other identified needs."</p>		
Relevant Medicaid Contracting Requirements for Adult Day Services Providers		
None identified.		

Location of Licensing, Certification or Other Requirements

1. http://data.opi.state.mt.us/bills/mca_toc/50_5_1.htm
2. http://data.opi.state.mt.us/bills/mca_toc/50_5_2.htm
3. <http://arm.sos.state.mt.us/37/37-7421.htm>
4. <http://www.dphhs.mt.gov/programsservices/adultdaycarecenter/adultdaycarepacket.shtml>
5. <http://www.dphhs.mt.gov/programsservices/adultdaycarecenter/statutesrules.shtml>

Citations

1. *General Provisions, Hospitals and Related Facilities, Health and Safety*. Montana Code Annotated. TITLE 50, Chapter 5, Part 1. [2003]
2. *Licensing, Hospitals and Related Facilities, Health and Safety*. Montana Code Annotated. TITLE 50, Chapter 5, Part 2. [2003]
3. *Developmental Disabilities Program*. Administrative Rules of Montana 37.34.938. [6/30/95]
4. *Adult Day Care Center Packet*. Department of Public Health and Human Services. [Undated]
5. *Adult Day Care Center*. Administrative Rules of Montana 37.106, Subchapter 2600. [11/26/04]

Additional Information

Some adult day care centers are located in nursing homes. In this case, the nursing home monitors the center in cooperation with the Department.

REGULATORY REVIEW OF ADULT DAY SERVICES: Final Report

PDF Files Available for This Report

Cover, Table of Contents, Acknowledgments and Introduction

<http://aspe.hhs.gov/daltcp/reports/adultday.pdf>

SECTION 1. Overview of Adult Day Services Regulations

<http://aspe.hhs.gov/daltcp/reports/adultday1.pdf>

SECTION 2. State Regulatory Profiles

<http://aspe.hhs.gov/daltcp/reports/adultday2.pdf>

Each state can also be viewed separately at:

Alabama <http://aspe.hhs.gov/daltcp/reports/adultdayAL.pdf>

Alaska <http://aspe.hhs.gov/daltcp/reports/adultdayAK.pdf>

Arizona <http://aspe.hhs.gov/daltcp/reports/adultdayAZ.pdf>

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