

DEPARTMENT OF LABOR AND INDUSTRY

CHAPTER 181

BOARD OF PRIVATE ALTERNATIVE ADOLESCENT
RESIDENTIAL OR OUTDOOR PROGRAMS

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Subchapter 3

Definitions

24.181.301 DEFINITIONS For the purpose of this chapter the following definitions apply:

(1) "Average daily census" means the arithmetical average of the number of participants served daily by the program, calculated over a calendar year. This number is calculated by adding the total number of service days, as defined in (2), provided by the program during the last calendar year, and divided by 365 days.

(2) "Number of service days" means any portion of a 24 hour period in which service is provided to one participant, multiplied by the number of actual participants on that day.

(3) "Participant" means any youth or adolescent to whom services are being provided by the program. (History: 37-1-131, 37-48-103, MCA; IMP, 37-1-131, 37-48-103, MCA; NEW, 2005 MAR p. 2677, Eff. 12/23/05.)

Subchapter 4

General Provisions

24.181.401 FEE SCHEDULE (1) The registration fee covers a two year period.

(2) Registration fees are calculated according to the program's average daily census:

(a) 0-10 participants	\$ 750
(b) 11-50 participants	1,750
(c) 51-100 participants	2,000
(d) 101 and more participants	3,000

(3) All existing programs must be registered within 30 days of the adoption of these rules.

(4) All fees provided for in this rule are nonrefundable and are not prorated for portions of the registration period. (History: 37-48-103, MCA; IMP, 37-1-134, 37-48-103, MCA; NEW, 2005 MAR p. 2677, Eff. 12/23/05.)

Rules 24.181.402 and 24.181.403 reserved

24.181.404 BOARD MEETINGS (1) The board shall annually elect a board chairperson and a vice chairperson at its fall meeting. The chairperson shall preside over all proceedings before the board. In the chairperson's absence, the vice-chairperson shall preside. In the absence of both, the board shall appoint an acting chairperson to preside. (History: 37-1-131, 37-48-103, MCA; IMP, 37-1-131, 37-48-101, 37-48-103, MCA; NEW, 2005 MAR p. 2677, Eff. 12/23/05.)

Subchapter 5

Licensing And Scope Of Practice

24.181.501 APPLICATION FOR REGISTRATION (1) A program applicant shall submit an application on a form prescribed by the department. The application must be complete and accompanied by the appropriate fees and the following documentation:

- (a) a detailed description of the program, including but not limited to:
 - (i) program mission statement;
 - (ii) program history, including any prior names, locations and ownership;
 - (iii) all insurance coverages, including workers' compensation;
 - (iv) professional affiliations;
 - (v) current educational, athletic, psychological and other services provided;
 - (vi) all locations and facilities where program services to participants are or will be provided; and
 - (vii) how and where participants are housed;
- (b) a detailed description of the population served by the program;
- (c) the contact information for each program, including the person responsible for the conduct of the program;
- (d) a list of professional and supervisory employees and relevant credentials and other qualifications;
- (e) the average daily census. If the program did not operate during the prior calendar year, the applicant shall estimate the expected average daily census during the first calendar year of operations; and

- (f) a copy of program policies and procedures, including but not limited to:
 - (i) admission;
 - (ii) communication with family members;
 - (iii) the availability of routine and emergency medical and psychological care;
 - (iv) medication management;
 - (v) complaints or grievances; and
 - (vi) behavior management, including but not limited to:
 - (A) discipline;
 - (B) punishment;
 - (C) consequences;
 - (D) incentives; and
 - (E) use of seclusion and/or restraints.

(2) Incomplete applications will be returned. The applicant may correct any deficiencies, complete any requirements necessary for registration and resubmit the application to the board office. Failure to resubmit the deficient application within 60 days from the date the notice of deficiency is sent from the board office will be treated as a voluntary withdrawal of the application and all fees will be forfeited.

(3) After withdrawal of an application, the applicant will be required to submit a new application, including supporting documentation and appropriate fees.

(4) Registration applications submitted to the board will be reviewed by department staff, which may request such additional information as it deems reasonably necessary.

(5) Registration applications that are deemed complete will be issued a registration certificate by the department.

(6) A program's registration is nontransferable.

(7) Programs that are registered will be listed as being registered on the Montana state website. (History: 37-1-131, 37-48-103, MCA; IMP, 37-1-131, 37-48-103, MCA; NEW, 2005 MAR p. 2677, Eff. 12/23/05.)

24.181.502 IMPLEMENTATION (1) Programs existing on December 23, 2005 have until January 23, 2006 in which to submit the program's registration application.

(2) Programs not in existence when this rule becomes effective must submit the program's registration application before the program begins serving participants. (History: 37-48-103, MCA; IMP, 37-48-103, MCA; NEW, 2005 MAR p. 2677, Eff. 12/23/05.)

Rules 24.181.503 and 24.181.504 reserved

24.181.505 SITE VISITS (1) For the purpose of gathering data and information for the study, programs may be visited by the board or its designee.

(2) Department staff will contact the person responsible for the conduct of the program, as identified in the registration application, to request permission to visit the facility at least seven business days prior to the intended visit. (History: 37-48-103, MCA; IMP, 37-48-103, MCA; NEW, 2005 MAR p. 2677, Eff. 12/23/05.)