



ADMINISTRATIVE RULES OF MONTANA



37.97.106 YOUTH CARE FACILITY (YCF): LICENSES

- (1) The department shall issue a one year YCF license to any license applicant that meets all licensing requirements established by these rules, as determined by the department after a licensing survey, or that is licensed or otherwise approved by another state agency.
 - (a) The department shall renew the license annually on the expiration date of the previous year's license if:
 - (i) the YCF makes written application for renewal at least 30 days prior to the expiration date of its current license; and
 - (ii) the YCF continues to meet all licensing requirements established by these rules, as determined by the department after a relicensing survey.
 - (b) If a YCF makes timely application for renewal of a license, but the department fails to complete the relicensing survey before the expiration date of the previous year's license, the previous year's license will continue in effect for the time necessary for the department to complete the relicensing survey and to make a determination of compliance with licensing requirements.
- (2) A therapeutic group home must be accredited by the following independent organizations:
 - (a) The Commission on Accreditation of Rehabilitation Facilities (CARF);
 - (b) The Joint Commission on Accreditation of Healthcare Organizations (JCAHO);
 - (c) Council on Accreditation (COA); or
 - (d) another independent, not-for-profit accrediting organization that has been approved by the Secretary of the U.S. Department of Health and Human Services.
- (3) The department may in its discretion issue a provisional license for any period up to six months to any license applicant which:
 - (a) has met all licensing requirements for fire safety; and
 - (b) has agreed in writing to comply fully with all licensing requirements established by these rules within the time period covered by the provisional license.
 - (i) The department may in its discretion renew a provisional license if the license applicant shows good cause for failure to comply fully with all licensing requirements within the time period covered by the prior provisional license, but the total time period covered by the initial provisional license and renewals may not exceed one year.

- (4) A restricted license may be issued for the care of a specific child with the approval of the department.
- (5) The YCF shall not accept more children than the number specified on the license.
- (6) The current YCF license shall be publicly displayed at the YCF.

Authorizing statute(s): 52-2-111, 52-2-603, 52-2-622, MCA

Implementing statute(s): 41-3-1142, 52-2-113, 52-2-603, 52-2-622, MCA

History: NEW, 1978 MAR p. 88, Eff. 1/26/78; AMD, 1983 MAR p. 742, Eff. 7/1/83; AMD, 1983 MAR p. 1746, Eff. 11/26/83; AMD, 1984 MAR p. 1635, Eff. 11/16/84; AMD, 1986 MAR p. 2080, Eff. 12/27/86; TRANS, from Dept. of SRS, 1987 MAR p. 1492, Eff. 7/1/87; AMD, 1988 MAR p. 2217, Eff. 10/14/88; AMD, 1990 MAR p. 590, Eff. 3/30/90; AMD, 1991 MAR p. 2605, Eff. 12/27/91; TRANS, from DFS, 1998 MAR p. 663; AMD, 2011 MAR p. 387, Eff. 3/25/11; AMD, 2021 MAR p. 1217, Eff. 10/1/21.