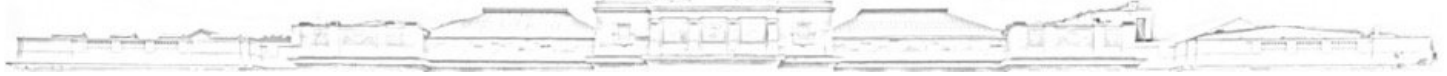




ADMINISTRATIVE RULES OF MONTANA



20.27.206 LICENSING PROCEDURES

- (1) A private correctional facility must apply to the department for its initial license at least 90 days prior to the date it intends to be open for operation.
- (2) The facility must apply in writing with a letter requesting a licensing review and a completed licensing application on a form provided by the department.
- (3) A facility that has a current license under these rules and needs a yearly renewal license must send the request for a renewal licensing review to the department licensing agent at least 60 days prior to the date its current license expires on the renewal form provided by the department.
- (4) Upon receipt of an application for license or renewal license, the department must conduct a licensing review to determine if the applicant meets the applicable licensing requirements established in the law and these rules. A licensing review or renewal licensing review must include an on-site visit, as well as interviews with inmates and correctional staff.
- (5) The department's licensing agent may make periodic visits between licensing reviews to ensure the facility is remaining compliant with these rules. The scope of these visits is the same as for a licensing review.
- (6) The facility must permit the department licensing agent:
 - (a) unlimited and immediate access to all areas of the facility at all times; and
 - (b) to inspect all written and electronic records related to the operation of the facility.
- (7) If the licensing agent determines that the facility is not in compliance with these rules, the licensing agent shall notify the warden or superintendent in writing of the:
 - (a) exact nature of the licensing violations;
 - (b) action necessary to come into compliance with the rules; and
 - (c) time frame within which the facility must have attained full compliance.
- (8) In no case may the time allowed for the facility to attain compliance exceed one year.

Authorizing statute(s): 53-30-604, MCA

Implementing statute(s): 53-30-604, 53-30-606, MCA

History: NEW, 1999 MAR p. 2629, Eff. 9/10/99.