



ADMINISTRATIVE RULES OF MONTANA

37.40.1013 AGENCY-BASED AND SELF-DIRECTED COMMUNITY FIRST CHOICE SERVICES: PROVIDER ENROLLMENT

- (1) Providers will enroll as a Community First Choice Services (CFCS)/Personal Care Services (PCS) provider, a CFCS/PCS personal emergency response system (PERS) provider, or both. Providers must enroll through the department's fiscal intermediary.
- (2) CFCS/PCS providers must be a business entity formed or registered to do business under Montana law.
- (3) CFCS/PCS providers must submit a description of the proposed service area, which must include, at a minimum, coverage of the entire area of at least one county or Indian reservation.
- (4) CFCS/PCS providers must comply with onsite visit requirements both before and after enrollment, to verify information submitted to the department.
- (5) CFCS/PCS providers must provide documentation to demonstrate the following:
 - (a) general liability insurance with a minimum coverage of \$1,000,000 per occurrence and \$2,000,000 aggregate;
 - (b) motor vehicle liability insurance with split limits of \$500,000 per person for personal injury, \$1,000,000 per accident occurrence for personal injury, and \$100,000 per accident occurrence for property damage; or, combined single limits of \$1,000,000 per occurrence to cover such claims as may be caused by any act, omission, or negligence of the provider or its agents, officers, representatives, assigns, or subcontractors;
 - (c) current unemployment insurance and workers' compensation coverage; and
 - (d) verification of completion of the department's mandatory CFCS/PCS training.
- (6) CFCS/PCS providers must elect to deliver either the agency-based or self-directed CFCS/PCS option. Once a provider has completed a successful compliance review, the provider may enroll in the other service option.
- (7) CFCS/PCS providers must use an Electronic Visit Verification (EVV) system to electronically document the delivery of services and submit claims.
 - (a) In accordance with 42 U.S.C. 1396b(l), the EVV system must capture the following data elements:
 - (i) the type of service performed;
 - (ii) the member receiving the service;
 - (iii) the date of the service;

- (iv) the location of service delivery;
 - (v) the individual providing the service; and
 - (vi) the time the service begins and ends;
 - (b) The use of EVV is required for all members utilizing CFCS/PCS, including members for whom services are provided by a live-in caregiver.
- (8) The department may contract with out-of-state agencies to provide CFCS/PCS for Montana Medicaid members temporarily living out of state.

Authorizing statute(s): 53-2-201, MCA

Implementing statute(s): 53-2-201, 53-6-113, MCA

History: NEW, 2014 MAR p. 3075, Eff. 12/25/14; AMD, 2025 MAR, Notice No. 280, Eff. 7/26/25.