



ADMINISTRATIVE RULES OF MONTANA



37.40.1018 SELF-DIRECTED COMMUNITY FIRST CHOICE SERVICES: PROVIDER REQUIREMENTS

- (1) Self-directed Community First Choice Services (CFCS) providers must employ program oversight staff to perform the following self-directed oversight activities:
 - (a) assist members to identify resources for personal assistants;
 - (b) advise the member regarding program requirements;
 - (c) complete compliance documentation and follow-up if the member does not comply with program requirements; and
 - (d) provide documentation to ensure that the personal representative meets the participation criteria described in ARM 37.40.1008.
- (2) Self-directed CFCS providers must maintain staff resources, including a program oversight staff and person-centered plan facilitator, to perform the necessary CFCS duties as referenced in ARM 37.40.1005. The program oversight staff and person-centered plan facilitator may be the same person.
- (3) Self-directed program oversight staff must meet the following criteria:
 - (a) have at least one year's experience in aging and disability services;
 - (b) receive training in CFCS; and
 - (c) be free of conflict-of-interest criteria as referenced in ARM 37.40.1016.
- (4) Self-directed plan facilitators must meet the following criteria:
 - (a) have at least one year's experience in aging and disability services;
 - (b) receive certification in the person-centered planning process; and
 - (c) be free of conflict-of-interest criteria as referenced in ARM 37.40.1016.
- (5) The CFCS provider agency must provide documentation to verify program oversight staff and plan facilitator credentials, certification, and training.
- (6) Self-directed CFCS provider agencies must act as the employer of record for direct-care workers for the purposes of payroll and federal hiring practices.
- (7) A provider of services must ensure that the services adhere to the requirements of 42 C.F.R. § 441.530, which permits reimbursement with Medicaid monies only for services within settings that meet certain qualities set forth under the regulation.

- (8) For the purpose of this subchapter, the department adopts and incorporates by reference 42 C.F.R. § 441.530, as amended January 16, 2014. A copy of this regulation may be obtained at <https://www.ecfr.gov/> or by contacting the Department of Public Health and Human Service, Senior and Long-Term Care Division, P.O. Box 4210, Helena, MT 59604-4210.

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, 2024 MAR p. 332, Eff. 2/24/24; AMD, 2025 MAR, 37-1065, Eff. 1/11/25.