



ADMINISTRATIVE RULES OF MONTANA

37.99.109 PRIVATE ALTERNATIVE ADOLESCENT RESIDENTIAL PROGRAMS: PROCEDURE FOR OBTAINING A LICENSE: ISSUANCE AND RENEWAL OF A LICENSE

- (1) Application for a program license must be made on an application form provided by the department.
- (2) Renewal applications must be received within 30 days prior to the expiration date of the current license.
- (3) The program must submit all written program management policies and procedures to the department for approval with the initial application. Policies and procedures must comply with requirements outlined in this chapter.
- (4) Upon receipt of a complete initial or renewal application, the department must conduct an on-site licensing survey to determine if the applicant meets all applicable licensing requirements. The on-site licensing survey may be unannounced.
- (5) If the department determines during the survey that the applicant is out of compliance with the applicable licensing requirements, the department will notify the applicant of the specific deficiencies and the applicant must submit a written plan of correction within ten working days of the department's notification of noncompliance specifying how compliance will be made and maintained in the future.
- (6) The department must receive all required information and approve the plan of correction prior to issuing a license.
- (7) If all licensing requirements are met and the fee has been paid in full, the department will issue a license for a period of up to three years.
 - (a) A three-year license may be issued to a program that has received no deficiencies within the last licensed period and licensing survey.
 - (b) A two-year license may be issued to a program that has received minor deficiencies that do not significantly affect or threaten the health, safety, and welfare of any program participant.
 - (c) A one-year license may be issued to any program:
 - (i) that has been in operation for less than one year;
 - (ii) upon a change in ownership;
 - (iii) that has received deficiencies within the last licensed period or licensing survey that threaten the health, safety, and welfare of program participants or staff; or

- (iv) that has received multiple deficiencies or repeat deficiencies.
- (8) The department may in its discretion issue a provisional license for a period not to exceed 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.
- (9) Licensed premises must be open to inspection by the department or its authorized agent and access to all records must be granted to the department at all reasonable times.
- (10) The program will only admit the number of program participants specified on the license.
- (11) The current license must be publicly displayed at the program.
- (12) A program's license is nontransferable.

Authorizing statute(s): 52-2-803, 52-2-805, MCA

Implementing statute(s): 52-2-805, 52-2-806, 52-2-807, 52-2-808, 52-2-809, 52-2-810, 52-2-811

History: NEW, 2019 MAR p. 2029, Eff. 11/9/19.