



ADMINISTRATIVE RULES OF MONTANA



37.106.2140 MANAGEMENT OF INAPPROPRIATE CLIENT BEHAVIOR

- (1) The facility must develop and implement written policies and procedures that govern the management of inappropriate client behavior only as allowed in 53-20-146 , MCA. These policies and procedures must be consistent with the provisions of ARM 37.106.2139, and must:
 - (a) specify all facility-approved interventions to manage inappropriate client behavior;
 - (b) designate these interventions on a hierarchy to be implemented, ranging from most positive or least intrusive, to least positive or most intrusive;
 - (c) ensure, prior to the use of more restrictive techniques, that the client's record documents that programs incorporating the use of less intrusive or more positive techniques have been tried systematically and demonstrated to be ineffective; and
 - (d) address the following:
 - (i) the use of secured units;
 - (ii) the use of observation and seclusion rooms;
 - (iii) the use of physical restraints;
 - (iv) the use of time out procedures;
 - (v) the use of appropriate medication to manage inappropriate behavior;
 - (vi) the application of painful or noxious stimuli;
 - (vii) the staff members who may authorize the use of specified interventions; and
 - (viii) a mechanism for monitoring and controlling the use of such interventions.
- (2) Interventions to manage inappropriate client behavior must be employed with sufficient safeguards and supervision to ensure that the safety, welfare and civil and human rights of each client are adequately protected.
- (3) Techniques to manage inappropriate client behavior must never be used for disciplinary purposes, for the convenience of staff or as a substitute for a treatment and habilitation program.
- (4) The use of systematic interventions to manage inappropriate client behavior must be incorporated into the client's individual treatment plan.
- (5) Standing or as needed programs to control inappropriate behavior are not permitted.

Authorizing statute(s): Sec. 50-5-103 and 50-5-238, MCA

Implementing statute(s): Sec. 53-5-103, 50-5-201 and 50-5-238, MCA

History: NEW, 2003 MAR p. 1322, Eff. 7/1/03.