



ADMINISTRATIVE RULES OF MONTANA



37.106.1450 CLIENT RIGHTS

- (1) The substance use disorder residential facility (SUDF) must develop and maintain a client rights policy that supports and protects the state and federal constitutional and statutory rights, including civil rights, of all clients. These must include the right to:
 - (a) receive treatment free of unlawful discrimination;
 - (b) receive reasonable accommodations, consistent with federal and state law;
 - (c) receive treatment in the least restrictive environment, consistent with law, in a manner sensitive to individual needs and which promotes dignity and self-respect;
 - (d) have clinical and personal information treated in accordance with state and federal statutes and regulations;
 - (e) the opportunity to review their own treatment records in the presence of the administrator or designee, consistent with 45 CFR 164.524 and other state and federal confidentiality statutes and regulations;
 - (f) be fully informed of fees charged, including fees for copying records to verify treatment and methods of payment available;
 - (g) be free from abuse, neglect, harassment, and financial exploitation by staff members or clients;
 - (h) have grievances considered in a fair and timely manner, with respect to infringements of rights described in this rule;
 - (i) educational services provided to adolescents within inpatient/residential settings in accordance with Montana state law;
 - (j) client orientation to SUDF rules, responsibilities, and any sanctions that may be imposed for failure to comply with the SUDF rules;
 - (k) reasonable visitation and access to telephone communication within inpatient/residential settings;
 - (l) send and receive mail within inpatient/residential settings;
 - (m) regular physical exercise several times per week within inpatient/residential settings; and
 - (n) be given a 30-day notice in the event of a SUDF closure or treatment service cancellation and:
 - (i) provided assistance with relocation into similar treatment services, if available;

- (ii) be given refunds to which the client is entitled; and
 - (iii) be advised how to access records to which the client is entitled.
- (2) The SUDF must inform each client and his or her representative, in an understandable manner, of the rights policy, treatment methods, and rules applicable to the client, at the time of admission or as soon thereafter as the client is capable of rational communication.
- (3) The client and staff member reviewing the policy must sign a statement acknowledging the review. The statement must be maintained in the client's record.
- (4) The SUDF must post a copy of clients' rights in a conspicuous place in the facility accessible to clients and staff members.

Authorizing statute(s): 50-5-103, 53-24-208, MCA

Implementing statute(s): 50-5-101, 50-5-103, 53-24-306, 76-2-411, MCA

History: NEW, 2010 MAR p. 2975, Eff. 12/24/10; AMD, 2022 MAR p. 1889, Eff. 9/24/22.