



ADMINISTRATIVE RULES OF MONTANA



37.40.1127 SELF-DIRECTED PERSONAL ASSISTANCE SERVICES: PROVIDER REQUIREMENTS

- (1) Self-directed Personal Assistance Services (PAS) 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 37.40.1117.
- (2) Self-directed PAS providers must maintain staff resources, including a program oversight staff and person-centered plan facilitator, to perform the necessary PAS duties as referenced in ARM 37.40.1114. 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 PAS; and
 - (c) be free of conflict-of-interest criteria as referenced in ARM 37.40.1125.
- (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 37.40.1125.
- (5) The PAS provider agency must provide documentation to verify program oversight staff and plan facilitator credentials, certification, and training.
- (6) Self-directed PAS provider agencies must act as the employer of record for direct-care workers for the purposes of payroll and federal hiring practices.

Authorizing statute(s): 53-2-201, 53-6-101, MCA

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



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History: NEW, 2014 MAR p. 3086, Eff. 12/25/14; AMD, 2024 MAR p. 332, Eff. 2/24/24.