



ADMINISTRATIVE RULES OF MONTANA



37.106.2839 ENVIRONMENTAL CONTROL

- (1) The assisted living facility shall provide a clean, comfortable and well maintained home that is safe for residents and employees at all times.
- (2) A minimum of 10 foot candles of light must be available in all rooms, with the following exceptions:
 - (a) all reading lamps must have a capacity to provide a minimum of 30 foot candles of light;
 - (b) all toilet and bathing areas must be provided with a minimum of 30 foot candles of light;
 - (c) general lighting in food preparation areas must be a minimum of 30 foot candles of light; and
 - (d) hallways must be illuminated at all times by at least a minimum of five foot candles of light at the floor.
- (3) Temperature in resident rooms, bathrooms, and common areas must be maintained at a minimum of 68°F.
- (4) A resident's ability to smoke safely shall be evaluated and addressed in the resident's service or health care plan. If the facility permits resident smoking:
 - (a) the rights of non-smoking residents shall be given priority in settling smoking disputes between residents; and
 - (b) if there is a designated smoking area within the facility, it shall be designed to keep all contiguous, adjacent or common areas smoke free.
- (5) An assisted living facility may designate itself as non-smoking provided that adequate notice is given to all residents or all applicants in the facility residency agreement.

Authorizing statute(s): Sec. 50-5-103, 50-5-226 and 50-5-227, MCA

Implementing statute(s): Sec. 50-5-225, 50-5-226 and 50-5-227, MCA

History: NEW, 2002 MAR p. 3638, Eff. 12/27/02; AMD, 2004 MAR p. 1146, Eff. 5/7/04.