



ADMINISTRATIVE RULES OF MONTANA



37.34.2313 RESIDENTIAL FACILITY SCREENING: APPEAL OF SCREENING TEAM DETERMINATION OR RECOMMENDATION

- (1) If the residential facility screening team determines that the individual is not seriously developmentally disabled and therefore a commitment or recommitment is not appropriate, the individual or the individual's authorized representative aggrieved by the determination may request a fair hearing as provided in ARM 37.5.304, 37.5.305, 37.5.307, 37.5.310, 37.5.311, 37.5.313, 37.5.316, 37.5.318, 37.5.322, 37.5.325, 37.5.328, 37.5.331, 37.5.334 and 37.5.337, from the department, within 30 days of the determination that the individual is not seriously developmentally disabled.
- (2) If the residential facility screening team recommends commitment or recommitment, the recommendation goes to the district court, and the parties can request a hearing from the court, as provided in 53-20-125 , MCA.

Authorizing statute(s): Sec. 53-20-133, MCA

Implementing statute(s): Sec. 53-20-125, 53-20-127, 53-20-128, 53-20-129 and 53-20-133, MCA

History: NEW, 1991 MAR p. 1849, Eff. 10/1/91; AMD, 1996 MAR p. 2188, Eff. 8/9/96; TRANS, from SRS, 1998 MAR p. 3124; AMD, 2000 MAR p. 1653, Eff. 6/30/00.