



ADMINISTRATIVE RULES OF MONTANA

37.90.463 HOME AND COMMUNITY-BASED SERVICES FOR ADULTS WITH SEVERE AND DISABLING MENTAL ILLNESS: SPECIALIZED MEDICAL EQUIPMENT AND SUPPLIES –SERVICE ANIMALS

- (1) A service animal is an animal trained to undertake a particular task or tasks on behalf of an enrolled member that the enrolled member cannot perform and that are necessary to meet the enrolled member's needs for accessibility, independence, health, or safety. A service animal is limited to a dog trained to perform a task or tasks directly related to the enrolled member's disability.
- (2) The following requirements must be met prior to the department approving and paying for a service animal:
 - (a) the enrolled member must be evaluated by a physician to determine if the member would benefit from a service animal in maintaining and improving the enrolled member's ability to reside at home and to function in the community;
 - (b) the evaluating physician must provide a recommendation for a service animal for the enrolled member and must identify the work or task the service animal will perform for the enrolled member and whether and how the work or task relates to the enrolled member's SDMI;
 - (c) the work or task performed by the service animal must relate to the enrolled member's SDMI as defined in ARM 37.90.403; and
 - (d) the enrolled member's case management team must determine that a service animal is a practical means of meeting the enrolled member's need and that there exists no alternative method of meeting the enrolled member's need that is significantly less expensive than a service animal.
- (3) A service animal does not include any of the following:
 - (a) pets, companion animals, emotional support animals, and therapy animals;
 - (b) guard dogs, rescue dogs, sled dogs, tracking dogs, or any other animal not specifically designated as a service animal; or
 - (c) wild, exotic, or any other animals not specifically designated as a service animal.
- (4) The following expenses will be covered by the program:
 - (a) supplies necessary for the service animal to perform work or tasks for the enrolled member;
 - (b) veterinary care, transportation to veterinary care, licensing or registering of service animal, and grooming if the enrolled member or the enrolled member's primary care giver is unable to groom the service animal;

- (c) training of service animal to undertake the particular tasks on behalf of an enrolled member as long as a qualified trainer has assessed the service animal and determined the animal to have the behavioral characteristics to successfully complete training.
- (5) The program does not pay for food for the service animal.
- (6) The department may require a consultation prior to the purchase of certain equipment and supplies.

Authorizing statute(s): 53-2-201, 53-6-402, MCA

Implementing statute(s): 53-6-402, MCA

History: NEW, 2024 MAR p. 2234, Eff. 9/21/24.