



ADMINISTRATIVE RULES OF MONTANA

24.112.2301 UNPROFESSIONAL CONDUCT

- (1) It is unprofessional conduct for a licensee or applicant to:
 - (a) violate any statute, rule, or standard of care governing their scope of practice;
 - (b) fail to report to the department within thirty days from the date of a final judgment, order, or agency action, all information related to malpractice, misconduct, criminal, or disciplinary action in which the licensee or applicant is a party;
 - (c) violate facility care policy or procedure while providing services in a healthcare facility
 - (d) administer, dispense, prescribe, order, or otherwise divert a controlled substance as defined by the federal Food and Drug Administration or its successors, otherwise than in the course of legitimate or reputable professional practice;
 - (e) regarding patient records, fail to:
 - (i) appropriately secure records;
 - (ii) appropriately document patient care; or
 - (iii) transfer records to another licensed health care provider, the patient, or the patient's representative when requested to do so by the patient or the patient's legally designated representative;
 - (f) fail to cooperate with or respond to a department request or investigation;
 - (g) fail to report an incident of unsafe practice or unethical conduct of another licensee to the licensing authority;
 - (h) perform services or use machines or devices that are outside of the licensee's scope of practice;
 - (i) practice under unsanitary or unsafe conditions;
 - (j) commit any act of sexual abuse, misconduct, or exploitation whether or not it is related to the licensee's practice;
 - (k) while under investigation or during a pending complaint, in Montana or elsewhere, but prior to a determination:
 - (i) withdraw an application for licensure, certification, or registration; or
 - (ii) voluntarily relinquish or surrender a professional or occupational license, certification, registration, or privileges;
 - (l) fail to adequately supervise apprentices.

Authorizing statute(s): 50-6-203, MCA

Implementing statute(s): 50-6-203, MCA

History: NEW, 2026 MAR, Notice No. 2025-149, Eff. 1/10/26.