



ADMINISTRATIVE RULES OF MONTANA



37.30.2303 OLDER BLIND PROGRAM: REDUCTION OF SERVICE POPULATION

- (1) The department, in accordance with state and federal law, administers the program to assure the fiscal integrity of the program. If the division determines that there are insufficient fiscal or personnel resources to appropriately serve consumers, the department will limit service delivery based upon the criteria in (2) through (5).
- (2) For the purposes of limiting service delivery in order to meet fiscal and personnel resources exigencies, the following categories are applicable:
 - (a) Category 1, for consumers already accepted into the Older Blind Program.
 - (b) Category 2, for consumers who are totally blind.
 - (c) Category 3, for consumers who are legally blind and at risk of moving into a less independent environment due to vision loss.
 - (d) Category 4, for consumers with low vision (best acuity with correction of 20/80 or less in the better eye) or significant visual impairment that affects four or more areas of functioning, and consumers who are legally blind but not at risk of moving into a less independent environment.
 - (e) Category 5, for all other consumers with a significant visual impairment.
- (3) For purposes of implementing service delivery limitations due to insufficient fiscal or personnel resources, the division will close, as appropriate to meet the fiscal and personnel resources exigencies, one or more categories of service delivery beginning with level 4. For each service delivery category closed, the department will initially close that category to further consumers. Consumers in that category already in receipt of services will continue to receive services unless it is necessary due to the exigencies to initiate closure of services to all persons in that category.
- (4) If the department determines that there are fiscal or personnel resources available to serve some, but not all, of the consumers in a particular service delivery category, the department will continue to serve that number of consumers in that category for which it has adequate fiscal or personnel resources. Consumers to be served will be selected based upon the consumers' dates of application for the program beginning with the earliest date of application.
- (5) If the department determines that there are fiscal or personnel resources available by which to begin to open a previously closed service delivery category but not serve all possibly eligible persons in that category, the department will serve that number of consumers for which it has adequate fiscal or personnel resources based upon the consumers' dates of application for the program beginning with the earliest date.

Authorizing statute(s): 53-2-201, 53-7-102, 53-7-302, 53-7-315, MCA

Implementing statute(s): 53-7-301, 53-7-302, 53-7-303, 53-7-306, MCA

History: NEW, 2007 MAR p. 475, Eff. 1/12/07.