



ADMINISTRATIVE RULES OF MONTANA



37.5.107 STATE INSTITUTIONS, ADMISSION, DISCHARGE, AND ABILITY TO PAY FOR CARE: APPLICABLE HEARING PROCEDURES

- (1) Hearings relating to determinations of ability to pay for cost of care in a state institution are available to the extent granted in 53-1-407, MCA and shall be conducted in accordance with 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. The resident or financially responsible person shall be considered a claimant for purposes of 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.
- (2) Persons contesting denial of admission to or involuntary discharge from a state institution shall have only such rights of appeal or hearing as is specifically granted by statute or department rule, including but not limited to ARM 37.45.501 and 37.66.130. The provisions of 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 do not apply to appeals under ARM 37.45.501 or 37.66.130.
- (3) Persons contesting denial of admission to or discharge from the Montana Developmental Center and the Eastmont Human Services Center shall have such rights of appeal or hearing as provided in ARM 37.5.117.

Authorizing statute(s): 53-2-201, 53-6-113, MCA

Implementing statute(s): 53-1-407, 53-21-402, 53-21-411, 53-21-413, MCA

History: NEW, 2000 MAR p. 1653, Eff. 6/30/00.