



ADMINISTRATIVE RULES OF MONTANA



20.7.910 POLICIES AND PROCEDURES

- (1) A contractor must submit written policies and procedures for initial review and approval by the department prior to opening a facility or program, and update and submit them for annual review by the department thereafter.
- (2) The policies and procedures must address:
 - (a) accounting for participant trust funds in accordance with accepted accounting procedures;
 - (b) protection against the danger of fire and smoke, injury attributable to the environment, electrical hazards, and the spread of disease and infection. The contractor must maintain records of inspections by local, state and federal authorities having jurisdiction;
 - (c) maintenance of participant records to assure confidentiality of criminal justice and treatment information. The contractor will release confidential information only to the department and appropriate persons;
 - (d) disciplinary procedures for alleged rule infractions by participants consistent with the department's disciplinary policies;
 - (e) incarceration of participants who violate program rules or who await transportation to a higher level of custody;
 - (f) continued operation of the facility and program in the event of an employee work stoppage, disaster, or emergency. The disaster and emergency plans and procedures shall be posted at highly visible locations and explained to each new participant at orientation. The contractor shall hold drills at least quarterly to evaluate the effectiveness of the plans and procedures;
 - (g) participant escapes consistent with the department's escape policies. The contractor must notify the proper authorities in a timely fashion;
 - (h) preemployment background checks of staff. The contractor may not employ anyone with a felony conviction without express written authorization of the department. The contractor must staff the center to conform to applicable standards to protect staff and participants from harm;
 - (i) compliance with the Federal Prison Rape Elimination Act;
 - (j) selection, pay, and supervision of inmate workers assigned to the facility as approved by the department; and
 - (k) food services that provide participants with at least the minimum daily adult level of caloric intake and nutritional levels as recommended by the U.S. Department of Agriculture, subject to annual review and approval by a qualified nutritionist, dietician, or physician.

Authorizing statute(s): 53-1-203, MCA

Implementing statute(s): 53-1-201, 53-1-203, MCA

History: NEW, 2005 MAR p. 1917, Eff. 10/7/05; AMD, 2018 MAR p. 1730, Eff. 8/25/18.