



ADMINISTRATIVE RULES OF MONTANA



37.100.137 ADULT FOSTER CARE HOMES (AFCH): RESIDENT RIGHTS

- (1) The facility must comply with the Montana Long-Term Care Residents' Bill of Rights, found at 50-5-1101 through 50-5-1107, MCA. This includes the posting of the facility's statement of resident rights in a conspicuous place. Prior to or upon admission of a resident, the AFCH must explain and provide the resident with a copy of the Montana Long-Term Care Residents' Bill of Rights.
- (2) The provider will write and adhere to a statement applicable to all residents in the AFCH, including as a minimum the rights listed in 50-5-1104, MCA. This statement will be provided to each resident and his or her legal representative upon admission to the AFCH. Signed copies must be retained in the resident file and copies made available to the resident and resident's legal representative, if applicable.
- (3) This written statement must include information that all residents have the right to:
 - (a) be treated as an adult with respect and dignity;
 - (b) be informed of their medical condition and the right to consent to or refuse treatment;
 - (c) receive appropriate care, services, and prompt medical care, as needed;
 - (d) participate in community organizations and activities;
 - (e) have medical and personal information kept confidential;
 - (f) a safe and secure environment;
 - (g) be free from discrimination in regards to race, color, national origin, sex, or religion;
 - (h) be provided the opportunity to voluntarily practice their own religion, attend religious services of their choice in the community, and to visit with representatives of their faith;
 - (i) identify with their cultural heritage;
 - (j) the opportunity for bathing and personal grooming, as desired;
 - (k) dress according to personal taste;
 - (l) write and send mail at their own expense without censorship and receive unopened mail;
 - (m) daily private access to a telephone;
 - (n) have visitors within reasonable visiting hours; and
 - (o) be encouraged and assisted to exercise constitutional and legal rights including the right to vote.

Authorizing statute(s): 50-5-103, 50-5-215, MCA

Implementing statute(s): 50-5-103, 50-5-215, MCA

History: NEW, 2014 MAR p. 1098, Eff. 5/23/14.