



ADMINISTRATIVE RULES OF MONTANA

37.84.121 HELP ACT: COMMUNITY ENGAGEMENT ACTIVITY PARTICIPATION: HARDSHIP EXEMPTIONS

- (1) A participant is exempt from community engagement activity participation requirements if the participant:
 - (a) is hospitalized or is caring for an immediate family member who has been hospitalized;
 - (i) the department shall review healthcare claims on a monthly basis for receipt of services that include an inpatient hospitalization to identify an exemption under this subsection;
 - (ii) if the department is unable to verify if a participant is hospitalized through a data review, a participant may provide a certification to meet the exemption under this subsection. A participant shall provide documentation of caring for a family member who has been hospitalized to meet the exemption under this subsection.
 - (b) has a serious illness or is caring for an immediate family member who has a serious illness. A participant shall provide documentation to meet an exemption under this subsection;
 - (c) is incapacitated or is caring for an immediate family member who is incapacitated. A participant shall provide documentation to meet an exemption under this subsection; or
 - (d) is experiencing a catastrophic event or hardship that prevents the participant from complying with the community engagement activity participation requirements. A catastrophic event or hardships includes, but is not limited to, public health emergencies, natural or human-caused disasters, or an unforeseen personal crisis. A participant may request a temporary reporting exemption for an unforeseen personal hardship.
- (2) The department shall implement and enforce this rule only upon receiving approval from the U.S. Secretary of Health and Human Services of the department's 1115 waiver application filed August 30, 2019, and in accordance with the terms and conditions of the approval.

Authorizing statute(s): 53-2-215, 53-6-113, 53-6-1309, 53-6-1318, MCA

Implementing statute(s): 53-2-215, 53-6-101, 53-6-113, 53-6-1302, 53-6-1303, 53-6-1304, 53-6-1305, 53-6-1308, 53-6-1309, MCA

History: NEW, 2020 MAR p. 2438, Eff. 1/1/21.