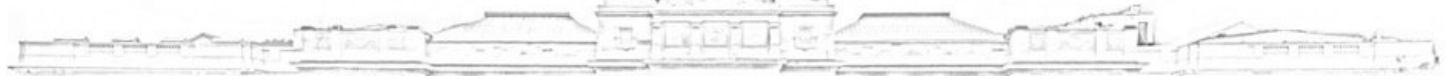




ADMINISTRATIVE RULES OF MONTANA



37.106.1616 INVOLUNTARY MEDICATION ADMINISTRATION

- (1) A forensic mental health facility (FMHF) must develop and implement a policy for involuntary medication administration that includes:
 - (a) procedures for use in an immediate emergency or an emergency situation to ensure the physical safety of the client, a staff member, or others;
 - (b) an administrative review process for use when involuntary medication is clinically indicated for a client who is gravely disabled or poses a likelihood of serious harm to themselves, others, or property as a result of a mental disease or disorder. The process must include:
 - (i) a formal review within five working days of beginning the involuntary administration of medication, by a medication review committee which includes the medical director of the FMHF, the designee, or both and at least one qualified psychiatrist who is not employed at the FMHF. No committee member may be directly involved in the client's care;
 - (ii) an opportunity for the client to appear before the panel in person and with a representative of the client's choice, and to provide testimony and evidence;
 - (iii) written advance notice of the review and the right to participate which must be given to the client, guardian, and Mental Disabilities Board of Visitors;
 - (iv) an opportunity for review of the decision of the panel by the director of the licensed mental health center;
 - (v) review by the committee at 14 and 90 days after the initial authorization of involuntary administration of medication.
 - (c) procedures for seeking and implementing a court order authorizing involuntary administration of medication for clients who are placed at the FMHF under 46-14-221, MCA, and for whom the sole purpose of involuntary medication is to gain fitness to proceed.
- (2) Attempts must be made to administer medications with the full consent of the client receiving those medications. Such attempts must be documented.
- (3) Involuntary medications must be discontinued when no longer necessary as determined by a licensed health care practitioner.

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

Implementing statute(s): 50-5-103, 50-5-204, MCA



ADMINISTRATIVE RULES OF MONTANA



History: NEW, 2016 MAR p. 144, Eff. 1/23/16.