



ADMINISTRATIVE RULES OF MONTANA

37.34.987 0208 MEDICAID HOME AND COMMUNITY-BASED SERVICES PROGRAM: SUPPORTS BROKERAGE

- (1) Supports brokerage services assist the waiver recipient self-directing service with employer authority in arranging, directing, and managing self-directed services as described in the waiver recipient's plan of care. The supports broker acts as an agent of the waiver recipient or legal representative and is available to assist in identifying immediate and long-term needs, developing options to meet those needs, and accessing identified supports and services.
- (2) As determined by the scope and nature of the opportunities afforded to the waiver recipient, supports brokers may provide information regarding the following:
 - (a) person-centered planning and how it is applied;
 - (b) the range and scope of the choices and options the waiver recipient has;
 - (c) the process for changing the plan of care and the individual budget;
 - (d) the grievance process;
 - (e) risks and responsibilities of self-direction;
 - (f) freedom of choice of providers;
 - (g) waiver recipient rights;
 - (h) reassessment and review of schedules; and
 - (i) other information pertinent to managing self-directed services.
- (3) The supports broker may assist the waiver recipient with:
 - (a) defining goals, needs, and preferences and identifying and accessing services, supports, and resources;
 - (b) practical skills training regarding hiring, managing, and terminating employees;
 - (c) development of risk management agreements;
 - (d) development of an emergency backup plan;
 - (e) recognizing and reporting critical events;
 - (f) independent advocacy, to assist in filing grievances and complaints when necessary; and
 - (g) other areas related to managing services and supports.

- (4) Duplicative services are not allowed concurrent with supports brokerage. In instances where activities of the supports broker duplicate the provisions of case management, the plan of care must clearly delineate the responsibilities for performance activities.
- (5) The annual cap for supports brokerage is the lesser of \$6,000 or 20% of the value of the individual cost plan (ICP). These values may be exceeded for a limited time period in extraordinary circumstances with prior approval of the Developmental Disabilities Program (DDP).

Authorizing statute(s): 53-6-113, 53-6-402, 53-20-204, MCA

Implementing statute(s): 53-6-101, 53-6-402, 53-20-205, MCA

History: NEW, 1995 MAR p. 1136, Eff. 6/30/95; TRANS, from SRS, 1998 MAR p. 3124; AMD, 2014 MAR p. 220, Eff. 1/31/14; AMD, 2024 MAR p. 2067, Eff. 8/24/24.