



ADMINISTRATIVE RULES OF MONTANA

37.90.438 HOME AND COMMUNITY-BASED SERVICES FOR ADULTS WITH SEVERE AND DISABLING MENTAL ILLNESS: RESPITE CARE

- (1) Respite care is planned or emergency care provided to a member with need for support and supervision in order to provide temporary relief to the unpaid caregiver of the member.
- (2) Respite care services may be provided in:
 - (a) a member's place of residence;
 - (b) an alternative private residence; or
 - (c) a residential habilitation setting or a nursing facility.
- (3) Respite care is provided for members who:
 - (a) in the absence of respite care, would require institutional level of care;
 - (b) are unable to care for themselves; and
 - (c) have an unpaid caregiver as the member's primary caregiver.
- (4) A person providing respite care services must be:
 - (a) physically and mentally qualified to provide this service to the member;
 - (b) aware of emergency assistance systems and CPR-certified; and
 - (c) able to follow the positive behavioral supports that are in place.
- (5) A person who provides respite care services to a member may be required by the case management team to have the following when the member's needs so warrant:
 - (a) knowledge of the physical and mental conditions of the member;
 - (b) knowledge of common medications and related conditions of the member; and
 - (c) ability to administer basic first aid.

Authorizing statute(s): 53-2-201, 53-6-402, MCA

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

History: NEW, 2006 MAR p. 2665, Eff. 10/27/06; AMD, 2020 MAR p. 1173, Eff. 7/1/20.