



ADMINISTRATIVE RULES OF MONTANA



37.97.171 YOUTH CARE FACILITY (YCF): BEHAVIOR MANAGEMENT POLICIES

- (1) A YCF shall have and follow written behavior management policies and procedures which include a description of the model, program, or techniques to be used with youth. The YCF shall have policies addressing discipline, therapeutic de-escalation in crisis situations, crisis intervention and physical restraint, and time-out. Behavior management must be based on an individual assessment of each youth's needs, stage of development, and behavior. It must be designed with the goal of teaching youth to manage their own behavior, and be based on the concept of providing effective treatment by the least restrictive means.
- (2) The behavior management policies and procedures must prohibit:
 - (a) the use of physical force, mechanical, chemical, or physical restraint as discipline;
 - (b) pain compliance, aversive conditioning, and use of pressure point techniques;
 - (c) placing of anything in or on a youth's mouth;
 - (d) cruel or excessive physical exercise, prolonged positions, or work assignments that produce unreasonable discomfort;
 - (e) verbal abuse, ridicule, humiliation, profanity, and other forms of degradation directed at a youth or a youth's family;
 - (f) physical discipline of any means including but not limited to hitting, shaking, biting, or pinching;
 - (g) locked confinement or seclusion;
 - (h) withholding of necessary food, water, clothing, shelter, bedding, rest, medications as prescribed, medical care, or toilet use;
 - (i) denial of visits or communication with the youth's family as punishment or discipline. Denial of visits or communication with the youth's family must be in collaboration with the youth's placing agent or by court order;
 - (j) isolation as punishment; and
 - (k) any other form of punishment or discipline which subjects a youth to pain, humiliation, or unnecessary isolation or restraint.
- (3) If YCF policies and procedures allow for disciplining a group of youth for actions of one youth, the policies and procedures must clearly prescribe the circumstances and safeguards under which disciplining the group is allowed.

- (4) Any staff person involved in or witnessing an infraction of this rule shall complete an incident report clearly detailing the events of the infraction. The report must be completed prior to the end of the involved staff person's shift.
- (5) A copy of the incident report shall be placed in the youth's file and the incident must be reported to the licensure bureau, placing agent, and parent or guardian within one working day of its occurrence.
- (6) An authorized staff person must be notified of the incident immediately and:
 - (a) begin an investigation within 24 hours of incident; and
 - (b) complete a written report within two days upon completion of the investigation.
- (7) An investigation of the incident may be conducted by the department.
- (8) A complete report of any investigation conducted by the YCF must be placed in the provider's records and must be available for inspection by the department or the youth's placing agency.

Authorizing statute(s): 52-2-111, 52-2-603, 52-2-622, MCA

Implementing statute(s): 52-2-113, 52-2-603, 52-2-622, MCA

History: NEW, 2011 MAR p. 387, Eff. 3/25/11.