



ADMINISTRATIVE RULES OF MONTANA

37.86.2921 HOSPITAL RESIDENCY REQUIREMENTS

- (1) To obtain hospital residency status, the client must meet the following requirements:
 - (a) a client who is unable to be cared for in a setting other than the acute care hospital is eligible for hospital residency status;
 - (b) the client must utilize a ventilator for a continuous period of not less than eight hours in a 24-hour period or require at least ten hours of direct nursing care in a 24-hour period; and
 - (c) the client must have been an inpatient in the same hospital as the requesting hospital for a minimum of six continuous months.
- (2) The provider will have the responsibility of determining whether services could be provided in a skilled nursing care facility or by the Home and Community-Based Waiver Program to a Medicaid client within the state of Montana.
- (3) The provider shall maintain written records of inquiries and responses about the present and future availability of openings in nursing homes and the Home and Community-Based Waiver Program.
- (4) A redetermination of nursing home or waiver availability must be made at least every six months.

Authorizing statute(s): 2-4-201, 53-2-201, 53-6-113, MCA

Implementing statute(s): 2-4-201, 53-2-201, 53-6-101, 53-6-111, 53-6-113, 53-6-149, MCA

History: NEW, 2004 MAR p. 482, Eff. 2/27/04; AMD, 2010 MAR p. 1534, Eff. 7/1/10.