



## ADMINISTRATIVE RULES OF MONTANA



### **37.106.2151 NURSING SERVICES AND STAFF**

- (1) The facility must provide each client with nursing services in accordance with their needs, including:
  - (a) participation as appropriate in the development, review, and update of an individual treatment plan as part of the interdisciplinary team process;
  - (b) the development, with a physician, of a medical care plan of treatment for a client when the physician has determined that an individual client requires such a plan;
  - (c) for each client who is certified as not needing a medical care plan, a review of their health status which must:
    - (i) be by a direct physical examination;
    - (ii) be by a licensed nurse;
    - (iii) be on a quarterly or more frequent basis depending on client need;
    - (iv) be recorded in the client's record; and
    - (v) result in any necessary action (including referral to a physician to address client health problems) ;
  - (d) other nursing care as prescribed by the physician or as identified by client needs; and
  - (e) implementation of appropriate protective and preventive health measures that include, but are not limited to:
    - (i) training any client and staff as needed in appropriate health and hygiene methods;
    - (ii) control of communicable diseases and infections, including the instruction of other personnel in methods of infection control; and
    - (iii) training of direct care staff in detecting signs and symptoms of illness or dysfunction, first aid for accidents or illness, and basic skills required to meet the health needs of the client.
- (2) The facility must:
  - (a) employ or arrange for licensed nursing services sufficient to care for the client's health needs including any client with a medical care plan;
  - (b) utilize registered nurses as appropriate and required by Montana law to perform the health services specified in this rule;

- (c) have a formal arrangement with a registered nurse to be available for verbal or on site consultation to the licensed practical or vocational nurses (if utilizing only licensed practical or vocational nurses to provide health services) ; and
  - (d) permit non-licensed nursing personnel who work with any client under a medical care plan to do so only under the supervision of licensed persons.
- (3) Nurses providing services in the facility must have a current license to practice in Montana.

**Authorizing statute(s):** Sec. 50-5-103 and 50-5-238, MCA

**Implementing statute(s):** Sec. 53-5-103, 50-5-201 and 50-5-238, MCA

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**History:** NEW, 2003 MAR p. 1322, Eff. 7/1/03.