



ADMINISTRATIVE RULES OF MONTANA



37.40.1426 HOME AND COMMUNITY-BASED SERVICES FOR ELDERLY AND PHYSICALLY DISABLED PERSONS: NOTICE AND FAIR HEARING

- (1) The department provides written notice to an applicant for a consumer of services when a determination is made by the department concerning:
 - (a) financial eligibility;
 - (b) level of care;
 - (c) feasibility, including cost-effectiveness of services to the consumer; and
 - (d) termination of consumer's eligibility for the program.
- (2) The department provides a consumer of services with notice ten working days before termination of services due to a determination of ineligibility.
- (3) A person aggrieved by any adverse final determinations as listed in (1)(a) through (1)(d) or any adverse determinations regarding services in the service plan may request a fair hearing as provided in ARM 37.5.304, 37.5.307, 37.5.313, 37.5.316, 37.5.318, 37.5.322, 37.5.325, 37.5.328, 37.5.331, 37.5.334, and 37.5.337.
- (4) Fair hearings will be conducted as provided for in ARM

37.5.304, 37.5.307, 37.5.313, 37.5.316, 37.5.318, 37.5.322, 37.5.325, 37.5.328, 37.5.331, 37.5.334, and 37.5.337.

Authorizing statute(s): 53-2-201, 53-6-113, 53-6-402, MCA

Implementing statute(s): 53-2-201, 53-6-101, 53-6-402, MCA

History: NEW, 1983 MAR p. 863, Eff. 7/15/83; AMD, 1986 MAR p. 2094, Eff. 1/1/87; AMD, 1988 MAR p. 1268, Eff. 7/1/88; TRANS & AMD, from SRS, 2000 MAR p. 2023, Eff. 7/28/00; AMD, 2011 MAR p. 1722, Eff. 8/26/11.