



ADMINISTRATIVE RULES OF MONTANA



37.106.1810 SPECIALTY MENTAL HEALTH FACILITY: ORGANIZATIONAL STRUCTURE; GOVERNING BODY

- (1) A specialty mental health facility must have a governing body that is legally responsible for the conduct of the facility and that:
 - (a) Ensures that the medical and professional staff of the facility:
 - (i) are appointed by the governing body to the medical staff after the governing body considers the recommendations of the existing members of the medical staff;
 - (ii) have bylaws and written policies that are approved by the governing body;
 - (iii) are accountable to the governing body for the quality of care provided to patients; and
 - (iv) are selected on the basis of individual character, competence, training, experience, judgment, and professional qualifications according to the specific areas in which they are to provide medical treatment.
 - (b) Appoints a chief executive officer who is responsible for managing the facility.
 - (c) In accordance with a written policy ensures that:
 - (i) every patient is under the care of a psychiatrist; and
 - (ii) whenever a patient is admitted to the facility, the admission procedures required by ARM 37.106.1851 are followed.
 - (d) Prepares, adopts, reviews, and updates annually an overall institutional plan that includes the following:
 - (i) a system of financial management and accountability; and
 - (ii) a system that assures that members of the governing body and appropriate administrative and professional staff have adequate and comprehensive liability insurance.
 - (e) Maintains a list of all contracted services, including the scope and nature of the services provided, and ensures that a contractor providing services to the facility:
 - (i) furnishes services that permit the facility, including the contracted services, to comply with all applicable licensure standards; and
 - (ii) provides the services in a safe and effective manner that will ensure that a patient may be able to return to a community setting as soon as possible.

- (f) Ensures that the medical and nursing staff of the facility are licensed, certified, or registered in accordance with Montana law and rules and that each staff member provides health services within the scope of his or her license, certification, or registration.

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

Implementing statute(s): Sec. 50-5-103, MCA

History: NEW, 1991 MAR p. 2454, Eff. 12/13/91; TRANS, from DHES, 2002 MAR p. 185.