



ADMINISTRATIVE RULES OF MONTANA



37.106.1470 FACILITY REQUIREMENTS

- (1) In addition to requirements found in ARM 37.106.320, substance use disorder facilities (SUDF) must comply with additional requirements in this rule.
- (2) Facilities must be accessible to a person with a physical disability. If a SUDF is unable to provide access to a person with a physical disability, the program must make arrangements for a referral or other accommodations to assure the person receives appropriate services.
- (3) Facilities must meet all applicable building and fire codes and be approved by the authority having jurisdiction to determine if the appropriate building and fire codes are met.
- (4) An inpatient or residential SUDF must have an annual fire inspection conducted by the state fire marshal or by the authority having jurisdiction, and must maintain a record of the inspection for at least three years following the date of the inspection.
- (5) Exit doors shall not include locks which prevent evacuation, except as approved by the fire marshal and building codes agency having jurisdiction.
- (6) Stairways, halls doorways, passageways and exits from rooms and from the facility must be kept unobstructed at all times.
- (7) All exterior pathways, entrances, and exit ways shall be of hard, smooth material, and be unobstructed and in good repair at all times.
- (8) A 2A10BC portable fire extinguisher shall be available on each floor of the facility or as required by the fire authority having jurisdiction.
- (9) Portable fire extinguishers must be inspected, recharged, and tagged at least once a year by a person certified by the state to perform these services.
- (10) A smoke detector, approved by a recognized testing laboratory, which is properly maintained and regularly tested, must be located on each level and in all sleeping areas, bedroom hallways, and common living areas, with the exception of the kitchen and bathrooms of a SUDF or as required by the fire authority having jurisdiction.
- (11) If individual battery-operated smoke detectors are used, the following maintenance is required:
 - (a) smoke detectors must be tested at least once a month to ensure that they are operating correctly;
 - (b) new operating batteries must be installed at least once each calendar year; and
 - (c) documentation demonstrating required maintenance must be kept on-site for a period of 24 months.

- (12) Garbage and refuse must be:
- (a) kept in durable, easily cleanable, insect and rodent proof containers that do not leak and do not absorb liquids. Plastic bags and wet strength paper bags may be used to line these containers; and
 - (b) disposed of daily and removed from the property at least weekly to prevent the development of odor and attraction of insects and rodents.
- (13) Refuse and recycling containers stored outside the facility, dumpsters, compactors, and compactor systems must be easily cleanable, must be provided with tight-fitting lids, doors, or covers, and must be kept covered when not in actual use.
- (14) All operable windows must have a screen in good repair.
- (15) Each room or area occupied by children under age five or clients with unsafe behaviors must have tamper resistant electrical outlets and hardware.
- (16) Facilities must have adequate private space for personal consultation with a client, staff member charting, and therapeutic and social activities, as appropriate.
- (17) Poison control and emergency contacts must be posted at each telephone.
- (18) Facilities must have a first aid kit readily available on each floor.
- (19) Measures must be in place to ensure containers of poisonous and toxic materials are stored safely and contain a legible manufacturer's label or material safety data (MSD) sheets.
- (20) Maintenance and cleaning tools must be maintained and stored in a safe and orderly manner.
- (21) Bathroom requirements include the following:
- (a) a minimum of one toilet and hand washing sink for every four clients;
 - (b) a sink located in or immediately accessible to each toilet room;
 - (c) a minimum of one bathing fixture for every six clients;
 - (d) hand cleansing soap or detergent must be available. The use of a communal bar soap is prohibited;
 - (e) individual towels must be available; and
 - (f) a waste receptacle must be located in each bathroom.
- (22) Bedroom requirements include the following:
- (a) single occupancy rooms must be at least 100 square feet;
 - (b) multiple person bedrooms must be at least 60 square feet per person (includes children in parent and children recovery homes);
 - (c) accommodate no more than four clients;
 - (d) direct access to a hallway, living room, lounge, the outside, or other common use area without going through a laundry or utility area, a bath or toilet room, or another client's bedroom;
 - (e) each bedroom has one outside window with visual privacy;

- (f) a bed for each client;
- (g) one noncombustible waste container; and
- (h) a wardrobe, dresser, or closet with shelving for storing a reasonable amount of clothing.

Authorizing statute(s): 50-5-103, 53-24-208, MCA

Implementing statute(s): 50-5-101, 50-5-103, 53-24-208, 76-2-411, MCA

History: NEW, 2010 MAR p. 2975, Eff. 12/24/10; AMD, 2022 MAR p. 1889, Eff. 9/24/22.