



ADMINISTRATIVE RULES OF MONTANA

37.34.968 0208 MEDICAID HOME AND COMMUNITY-BASED SERVICES PROGRAM: REMOTE MONITORING

- (1) Remote monitoring provides oversight and monitoring within a residential setting through off-site electronic surveillance, while maintaining the health and safety of the waiver recipient receiving the service.
- (2) Remote monitoring must be done in real time, by awake staff, at a monitoring base using:
 - (a) live video feed;
 - (b) motion sensing systems;
 - (c) radio frequency identification; or
 - (d) web-based monitoring systems.
- (3) The waiver recipient receiving remote monitoring must be 18 years of age or older.
- (4) The remote monitoring staff must not participate in other duties while providing remote monitoring.
- (5) The provider must have an effective emergency notification system in place to respond to any emergency within a reasonable time. The emergency response system must be written in the plan of care and must include:
 - (a) the circumstances in which backup supports must be contacted;
 - (b) the expected timeframes in which backup supports must respond; and
 - (c) if the response must be in person or by other means of contact, including notification to emergency responders such as police, fire, and medical services.
- (6) Live HIPAA-compliant two-way communication may be provided if it is designated in a waiver recipient's plan of care.
- (7) Cameras are not permitted in bathrooms or bedrooms.
- (8) The case manager must fully inform the waiver recipient or their legal representative and each person who resides with the waiver recipient of what remote monitoring entails and obtain written consent from each person. The case manager must keep the written consent with the waiver recipient's plan of care.
- (9) Individuals will receive the training needed to successfully utilize the technology, including how to turn off the equipment. This includes training the waiver recipient and staff on the equipment and devices that will be used.

- (10) Remote monitoring may only be used in supported living settings with the purpose of:
- (a) reducing or replacing the amount of residential habilitation needed by the waiver recipient;
or
 - (b) preventing the need for additional residential habilitation.
- (11) Remote monitoring providers must have a backup power supply in place at the monitoring base in the event of an electrical outage.

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

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

History: NEW, 1992 MAR p. 1490, Eff. 7/17/92; TRANS, from SRS, 1998 MAR p. 3124; AMD, 2014 MAR p. 220, Eff. 1/31/14; AMD, 2024 MAR p. 2067, Eff. 8/24/24.