



ADMINISTRATIVE RULES OF MONTANA



37.106.1852 SPECIALTY MENTAL HEALTH FACILITY: PROHIBITIONS

- (1) A specialty mental health facility may not admit as a patient any person who:
 - (a) does not voluntarily seek admission;
 - (b) requires physical or chemical restraints;
 - (c) is non-ambulatory or bedridden;
 - (d) may have impaired judgment or is incapable of appropriate physical action for self-preservation under emergency conditions;
 - (e) requires a medication regime:
 - (i) to orient him or her to reality;
 - (ii) for stabilization or any other purpose related to behavior modification;
 - (iii) for a mental health condition unrelated to an eating disorder, pathological gambling, or sexual dysfunction; or
 - (iv) that would otherwise suggest that the person is in need of inpatient psychiatric treatment on such medications;
 - (f) requires intensive supervision or specialized therapeutic interaction where medical or psychiatric attention or monitoring and treatment is necessary on a continuous basis as determined through a medical or psychiatric evaluation;
 - (g) requires a treatment that focuses on management of a psychiatric condition that may endanger the person, facility, staff, or others, as determined through a psychiatric evaluation prior to admission;
 - (h) requires electro-convulsive therapy;
 - (i) requires a locked environment; or
 - (j) requires treatment for a mental health condition other than one associated with an addiction.
- (2) For purposes of this rule, a person is ambulatory if he or she is capable of self-mobility, either with or without mechanical assistance; if mechanical assistance is necessary, a person is considered ambulatory only if he or she can, without help from another person, utilize the mechanical assistance, exit and enter the facility, or access all common areas in the facility.

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.