



ADMINISTRATIVE RULES OF MONTANA



37.111.350 MINIMUM PERFORMANCE REQUIREMENTS FOR LOCAL HEALTH AUTHORITIES

- (1) To qualify for reimbursement under 50-51-303 , MCA, the local health authority must either enter into a written, signed cooperative agreement with the department that establishes the duties and responsibilities of the local health authority and the department consistent with this subchapter or meet each of the following requirements:
 - (a) At least one sanitarian working with or for the local health authority must receive training from the department in bed and breakfast inspection techniques. The department is responsible for making training available on a periodic basis.
 - (b) The local health authority must ensure that the following are done by the local health officer, sanitarian or sanitarian-in-training:
 - (i) Upon notification by the department or the establishment, a prelicensing inspection is made to determine compliance with the requirements of this subchapter.
 - (ii) Each establishment within the jurisdiction of the local health authority is inspected at least once every 12 months or on the schedule specified in a signed agreement with the department.
 - (iii) Quarterly inspection reports are submitted to the department within 10 days following the closing of each quarter of the fiscal year (1st quarter, September 30; 2nd quarter, December 31; 3rd quarter, March 31; 4th quarter, June 30) on forms approved by the department.
 - (iv) All documentation of enforcement of this subchapter, including but not limited to inspection reports, consumer complaints, illness investigations, plans of correction and enforcement actions, must be retained for five years and copies of the documentation are submitted or otherwise made available to the department upon request.
- (2) A failure by the local health authority to meet all of its responsibilities under the cooperative agreement or under (1) (a) and (b) shall result in the withholding of funds from the local board reimbursement fund in an amount to be determined by the department.

Authorizing statute(s): Sec. 50-51-303, MCA

Implementing statute(s): Sec. 50-51-204 and 50-51-303, MCA

History: NEW, 2003 MAR p. 1338, Eff. 7/1/03.