



ADMINISTRATIVE RULES OF MONTANA

37.30.1002 STANDARDS FOR PROVIDERS OF SERVICES FUNDED THROUGH CERTAIN DISABILITY, EMPLOYMENT, AND TRANSITIONS PROGRAMS: ENROLLMENT AS A PROVIDER OF PROGRAM SERVICES

- (1) The department in its discretion may enroll an entity as a provider of program services for the Vocational Rehabilitation, Blind and Low Vision, or Extended Employment Programs if the entity is currently accredited as follows or is provisionally enrolled as provided for in (7) or is approved for limited enrollment by the department as provided for in (8) or (9):
 - (a) for providers of vocational rehabilitation and extended employment services, the entity must be accredited by either the Commission of Accreditation of Rehabilitation Facilities (CARF) or the Rehabilitation Services Accreditation System (RSAS); and
 - (b) for providers of low vision and blind services, the entity must be accredited by either the National Accrediting Council (NAC) or of CARF.
- (2) The department in its discretion may enroll an entity as a provider of program services for the independent living programs if the entity is currently recognized and funded as an authorized independent living center by the federal Centers for Independent Living Program of the U.S. Department of Education or is provisionally enrolled as provided for in (7) or is approved for limited enrollment by the department as provided for in (8) or (9).
- (3) The standard term of enrollment for a provider of program services is three years. If the enrollment is predicated upon an accreditation or authorization that is for a shorter term than three years, then the term of enrollment coincides with that term.
- (4) The department may disenroll a provider at any time upon a determination by the department that the provider:
 - (a) is no longer accredited by an accrediting body;
 - (b) is no longer approved or authorized by another state or federal services program;
 - (c) is failing to perform in accordance with the various program and licensing standards and requirements that are applicable to the provider's service performance;
 - (d) is failing to prepare, maintain, or provide reports and other documentation necessary for monitoring performance and accounting for service delivery;
 - (e) is failing to perform in accordance with the terms of any contract the provider has entered into with the department for the delivery of vocational rehabilitation, blind and low vision, older blind, visual medical, extended employment or independent living services; or
 - (f) is violating or failing to conform with state or federal law.

- (5) The department may review the enrollment status of a provider at any time. A review may include a site review.
- (6) Copies of the standards adopted and incorporated by reference in this rule may be obtained as follows:
 - (a) the CARF standards may be obtained by temporary loan from the department through the Department of Public Health and Human Services, Disability, Employment, and Transitions Division, P.O. Box 4210, Helena, MT 59604-4210 or by purchase from CARF, 4891 E. Grant Road, Tucson, AZ 85712;
 - (b) the NAC standards may be obtained by temporary loan from the department through the Department of Public Health and Human Services, Disability, Employment, and Transitions Division, P.O. Box 4210, Helena, MT 59604-4210 or by purchase from NAC, 15 E. 40th Street, Suite 1004, New York, NY 10016;
 - (c) the RSAS standards may be obtained by temporary loan from the department through the Department of Public Health and Human Services, Disability, Employment, and Transitions Division, P.O. Box 4210, Helena, MT 59604-4210 or by purchase from RSAS, 1309 Horne Street NE, Olympia, WA 98516; and
 - (d) copies of the federal requirements for a federally authorized independent living center may be obtained through the Department of Public Health and Human Services, Disability, Employment, and Transitions Division, P.O. Box 4210, Helena, MT 59604-4210.
- (7) An entity, that in accordance with (1) or (2) must receive accreditation in order to be enrolled, may be provisionally enrolled by the department until the entity receives the appropriate accreditation. A provisionally enrolled provisional enrollment may not be for more than 18 months. A provider may not receive another provisional enrollment, consecutive with a prior provisional enrollment unless the department determines that the provisional reenrollment is necessary due to matters of process relating to the accreditation and that the provider is making a good faith effort to become accredited.
- (8) The department may enroll an entity that is not accredited as provided in (1) or (2), if the entity is necessary to the delivery of services to an applicant or consumer, and if the entity has formal approval to act as a provider from another state or federal services program with which the department has a cooperative agreement concerning the coordinated delivery of services.
- (9) The department may provide for the limited enrollment of an entity that is not enrolled as provided for in of this rule if that entity can provide one or more services to a consumer in an area or circumstance that lacks an available enrolled provider. Limited enrollment may be limited with respect to time period, location, type of services, and any other pertinent parameters.
- (10) If enrollment is denied, the department must give notice to the entity of the reasons for the decision 30 days from the date that the entity submitted a proposal to enroll.
- (11) If enrollment is to be revoked by the department, the department must give notice to the provider of the reasons for the decision 30 days in advance of the date on which the department will cease to purchase services from the provider.

Implementing statute(s): 53-2-201, 53-7-102, 53-7-103, 53-7-203, 53-7-302, 53-7-303, MCA

History: NEW, Eff. 6/4/77; AMD, 1984 MAR p. 511, Eff. 3/30/84; AMD, 1992 MAR p. 2572, Eff. 11/26/92; AMD, 1997 MAR p. 1204, Eff. 7/8/97; TRANS, from SRS, 1998 MAR p. 2040; AMD, 2002 MAR p. 3628, Eff. 12/27/02; AMD, 2010 MAR p. 1318, Eff. 5/28/10; AMD, 2013 MAR p. 789, Eff. 5/10/13; AMD, 2013 MAR p. 2309, Eff. 12/13/13.