



ADMINISTRATIVE RULES OF MONTANA



37.106.1413 DEFINITIONS

In addition to the terms defined in 53-24-103, MCA, the following definitions shall apply in the interpretation and enforcement of the rules in this subchapter:

- (1) "Administrator" means the person in charge, care, or control of the substance use disorder facility (SUDF).
- (2) "Admission" means specific tasks necessary to admit a person to a SUDF.
- (3) "Adolescent" means a person 17 years of age or younger for purposes of receiving services in a SUDF. Persons 18, 19, and 20 may be defined as an adolescent if enrolled in accredited secondary school and the client assessment completed by a LAC or mental health professional determines their appropriateness for adolescent treatment.
- (4) "Adult" means a person 18 years of age or older for purposes of receiving services in a SUDF.
- (5) "American Society of Addiction Medicine (ASAM) Criteria" means guidelines for placement, continued stay, and transfer/discharge of individuals with addiction and co-occurring conditions, developed by the American Society of Addiction Medicine.
- (6) "Biopsychosocial assessment" means a comprehensive multidimensional assessment that includes risk ratings, addresses immediate needs, is organized in accordance with the six dimensions as described in the ASAM Criteria, and includes the following:
 - (a) presenting problem(s) and history of problem(s);
 - (b) family history;
 - (c) developmental history (including pregnancy, developmental milestones, temperament);
 - (d) substance use history;
 - (e) personal/social history;
 - (f) legal history;
 - (g) psychiatric history;
 - (h) medical history;
 - (i) spiritual history;
 - (j) diagnostic interview and mental status examination;
 - (k) physical health impressions;

- (l) diagnostic impressions;
 - (m) needs, strengths, skills, and resources in each dimension; and
 - (n) treatment recommendations.
- (7) "Care management" means the management and coordination of services to meet individual treatment needs of a client and includes:
- (a) conducting a needs assessment;
 - (b) developing, implementing, revising, or monitoring the care plan;
 - (c) facilitating and coordinating treatment and services among other professionals and agencies; and
 - (d) continuity of care provided by a designated member of the treatment team.
- (8) "Care manager" means a designated staff member on the care team that delivers care management services to clients and works directly with each client to ensure they receive the right care at the right time by coordinating services and referrals and tracking clinical outcomes.
- (9) "Clinical director" means a Licensed Addiction Counselor, Licensed Clinical Social Worker, Licensed Clinical Professional Counselor, Licensed Marriage Family Therapist, or Clinical Psychologist responsible for the supervision and provision of skilled treatment services provided in a substance use disorder facility. The clinical director cannot be a licensure candidate.
- (10) "Continuing care plan" means a plan outlining anticipated interventions needed at the time of discharge or transfer to another level of care.
- (11) "Co-occurring" means an individual that is diagnosed with at least one mental health disorder along with a substance use disorder.
- (12) "Critical population" means an individual who may be in need of additional services and is a priority admission to a SUDF in the following order of priority:
- (a) pregnant injecting drug users;
 - (b) pregnant substance abusers;
 - (c) injecting drug users;
 - (d) individuals infected with the etiologic agent for acquired immune deficiency, Hepatitis B and/or C, tuberculosis (TB), or any sexually transmitted infection; and
 - (e) women with dependent children.
- (13) "Diagnostic and Statistical Manual of Mental Disorders or (DSM)" means the American Psychiatric Association's classification of mental disorders manual. The DSM is the standard reference for clinical practice in the mental health field.
- (14) "Direct care" means the provision of providing awake supervision, treatment, or services to clients in a SUDF.
- (15) "Educational group" means structured service provided in a group setting designed to educate clients about substance abuse and the consequences of substance abuse.

- (16) "Guardian" means a person appointed by a court to make medical, and possibly financial, decisions as provided in Title 72, chapter 5, MCA.
- (17) "Individualized treatment plan" means a written document as described in ARM 37.106.1440, identifying the client's medical needs, clinical needs, goals, objectives, and interventions.
- (18) "Interdisciplinary team" means a group of licensed or certified individuals trained in different professions, disciplines, or service areas who function interactively and interdependently in conducting a client's biopsychosocial assessment, individualized treatment plan, and treatment services.
- (19) "Licensed addiction counselor (LAC)" means an individual who meets the requirements set forth in 37-35-202, MCA, and ARM Title 24, chapter 154, rules implementing 37-35-202, MCA, to provide addiction counseling.
- (20) "Medical director" means a physician, licensed under requirements set forth in Title 37, chapter 3, MCA, who establishes and oversees written protocols for the provision of medical services and medication management provided in a medically monitored inpatient substance use disorder residential facility.
- (21) "Medication administration" means the direct application of a medication or device by ingestion, inhalation, injection, or any other means, whether self-administered by a resident, or administered by a parent or guardian (for a minor), or an authorized health care provider.
- (22) "Mental health professional" means a clinical psychologist, licensed clinical social worker (LCSW), licensed clinical professional counselor (LCPC), and licensed marriage and family therapist (LMFT), licensed under requirements pursuant to Title 37, chapters 17, 22, 23, or 37, MCA; or a social worker licensure candidate; professional counselor licensure candidate; or marriage and family therapist licensure candidate, registered under requirements pursuant to Title 37, chapters 22, 23, or 37, MCA. Mental health professionals cannot assume the role of care manager.
- (23) "Nurse practitioner" means a person licensed under Title 37, chapter 8, MCA.
- (24) "Parent" means the individual who has legal custody of the child.
- (25) "Physical restraint" means a personal restriction that immobilizes or reduces the ability of the free movement of an individual's arms, legs, or head. The term does not include physical escort. Physical restraint may be imposed only in emergency circumstances and only to ensure the immediate physical safety of the adolescent, a staff member, or others, when less restrictive interventions have been determined to be ineffective.
- (26) "Physician" means a person licensed under requirements pursuant to Title 37, chapter 3, MCA.
- (27) "Physician assistant" means a person licensed under requirements pursuant to Title 37, chapter 20, MCA.
- (28) "Progress note" means a written record of a treatment session or service contact. It is individualized to each client for each separate session or service, and includes the following:
 - (a) date, time in/time out, and duration of session;
 - (b) participant name;
 - (c) type and summary of session or service;
 - (d) client's participation;

- (e) documentation of measurable progress toward ITP goals and objectives;
 - (f) the name and signature (with date of completion) of the staff member providing the session or service; and
 - (g) documentation in the client's file within seven days of the treatment session or service contact, or there must be documentation why this did not occur.
- (29) "Psychosocial rehabilitation" means a service that includes assisting adults with restoring skills related to exhibiting appropriate behavior and living with greater independence and personal choice. Services maximize the skills needed to function in the home, workplace, and community setting. Services can be provided by a rehabilitation aide.
- (30) "Recovery residence" means a substance-free living environment that supports individuals in recovery from substance use disorders. Recovery residences do not provide clinical services and are excluded from licensure by the department.
- (31) "Registered nurse" means a person licensed under requirements pursuant to Title 37, chapter 8, MCA.
- (32) "Rehabilitation aide" means a staff member of the SUDF who provides direct services to clients. Rehabilitation aides can provide psychosocial rehabilitation services under the supervision of the LAC or mental health professional staff and has documentation of training in the service provided. Rehabilitation aides must have a minimum of a high school diploma, high school equivalency test (HiSET), or general equivalency diploma (GED).
- (33) "Self-administration assistance" means providing necessary assistance to any resident in taking their medication, including:
- (a) removing medication containers from secured storage;
 - (b) providing verbal suggestions, prompting, reminding, gesturing, or providing a written guide for self-administering medications;
 - (c) handing a prefilled, labeled medication holder, labeled unit dose container, syringe or original marked, labeled container from the pharmacy, or a medication organizer as described in ARM 37.106.2848 to the resident;
 - (d) opening the lid of the marked, labeled container for the resident;
 - (e) guiding the hand of the resident to self-administer the medication;
 - (f) holding and assisting the resident in drinking fluid to assist in the swallowing of oral medications; and
 - (g) assisting with removal of a medication from a container for residents with a physical disability which prevents independence in the act.
- (34) "Serious incident" means any one of the following events that occurs at the facility or while participating in a facility activity:
- (a) death;
 - (b) suicide attempt;
 - (c) known or suspected abuse, neglect, or exploitation of a client;

- (d) physical or sexual assault;
 - (e) use of physical force or restraints;
 - (f) event that causes or contributes to serious injury, illness, or death of any person or poses a serious risk to the health, safety, or welfare of any person;
 - (g) serious physical plant damage;
 - (h) a severe weather event that presents a substantial threat to facility operation or client safety;
 - (i) bomb threat; and
 - (j) alleged unlawful conduct or criminal activity.
- (35) "Skilled treatment services" means structured services such as individual and group counseling, medication management, family therapy, educational groups, occupational and recreational therapy, and other therapies provided to the client. Skilled treatment services do not include attendance at self/mutual help meetings, volunteer activities, or homework assignments such as watching videos, journaling, and workbooks. Skilled treatment services must be provided by clinical staff licensed pursuant to requirements adopted under Title 37, MCA.
- (36) "Staff member" means a person that provides any type of service in the SUDF and is either employed, contracted, a volunteer, or participating in a trainee/intern program.
- (37) "Substance use disorder" means chemical dependency, as defined in 53-24-103, MCA.
- (38) "Substance use disorder facility (SUDF)" means a chemical dependency facility, as defined in 50-5-101, MCA.
- (39) "Treatment plan review" means clinical review of the client's progress in treatment and determination of whether the client meets the continuing, transfer, or discharge criteria outlined in the ASAM Criteria for the current level of care.
- (40) "Withdrawal management" means services required for dimension one in the ASAM Criteria; acute intoxication and/or withdrawal potential.

Authorizing statute(s): 50-5-103, 53-24-208, 53-24-301, 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.