



ADMINISTRATIVE RULES OF MONTANA



37.106.2817 EMPLOYEE FILES

- (1) The facility is responsible for maintaining a file on each employee and substitute personnel.
- (2) The following documentation from employee files must be made available to the department at all reasonable times, but shall be made available to the department within 24 hours after the department requests to review the files:
 - (a) the employee's name;
 - (b) a copy of current credentials, certifications, or professional licenses as required to perform the job description;
 - (c) an initialed copy of the employee's job description;
 - (d) initialed documentation of employee orientation and ongoing training including documentation of abdominal thrust maneuver training, basic first aid, and CPR; and
 - (e) the result of the employee's criminal background check.
- (3) The facility shall keep an employee file that meets the requirements set forth in (2) for the administrator of the facility, even when the administrator is the owner.
- (4) The employer must have evidence of contact to verify that each certified nursing assistant has no adverse findings entered on the nurse aid registry maintained by the department in the certification bureau.
 - (a) A facility may not employ or continue employment of any person who has adverse findings on the nurse aide registry maintained by the department's certification bureau.

Authorizing statute(s): 50-5-103, 50-5-226, 50-5-227, MCA

Implementing statute(s): 50-5-225, 50-5-226, 50-5-227, MCA

History: NEW, 2002 MAR p. 3638, Eff. 12/27/02; AMD, 2022 MAR p. 1857, Eff. 9/24/22.