
68th Legislature 2023 HB 700.1

1	HOUSE BILL NO. 700
2	INTRODUCED BY N. NICOL
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4	A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING THE REQUIREMENTS FOR ADULT FOSTER CARE
5	HOME PROVIDERS; ALLOWING A MEDICAID-ENROLLED PROVIDER TO SUBCONTRACT FOR CARE
6	AND PERFORM BACKGROUND CHECKS ON OTHER PROVIDERS; REQUIRING REGULAR OVERSIGHT
7	VISITS AND MAINTENANCE CHECKS OF VEHICLES OWNED BY AN ADULT FOSTER CARE HOME;
8	EXEMPTING LICENSURE REQUIREMENTS FOR MEDICAID-ENROLLED PROVIDERS; PROVIDING
9	RULEMAKING AUTHORITY; AND AMENDING SECTION 50-5-215, MCA."
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11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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13	Section 1. Section 50-5-215, MCA, is amended to read:
14	"50-5-215. Standards for adult foster care homes. (1) The department may adopt rules establishing
15	standards for the licensing of adult foster care homes. The standards must provide for the safety and comfort of
16	the residents and may be adopted by the department only after receiving the advice and recommendations of
17	the state fire prevention and investigation section of the department of justice in relation to fire and safety
18	requirements for adult foster care homes.
19	(2) The department shall promulgate rules:
20	(a) to allow a provider enrolled in the medical assistance program provided for in Title 53, chapter
21	<u>6, to:</u>
22	(i) complete background checks and home safety inspections of adult foster care home providers
23	that subcontract under the enrolled provider to provide care. Rules adopted under this subsection (2)(a) must
24	include the requirements for a background check, including but not limited to checks for sex offender registry
25	status, professional licensure, and motor vehicle records; and
26	(ii) allow a registered nurse employed by the enrolled provider to delegate limited skilled care
27	needs to the adult foster care home's direct care staff at the discretion and within the scope of practice of the
28	registered nurse.



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1	(b) that dictate the frequency and duration of agency oversight visits to an adult foster care home
2	and align the requirements for announced and unannounced visits similar to the requirements the department
3	has for other residential settings;
4	(c) to establish requirements for annual, multipoint motor vehicle inspections by a certified
5	mechanic of all vehicles owned or operated by the adult foster care home; and
6	(d) that exempts a provider enrolled in the medical assistance program provided for in Title 53,
7	chapter 6, from all licensure requirements."
3	- END -

