



# Department of Public Health and Human Services

Office of Inspector General ♦ 2401 Colonial Drive 2<sup>nd</sup> Floor ♦ Helena, MT 59620 ♦ fax: 444-1742

Greg Gianforte, Governor

Adam Meier, Director

Dear Prospective Assisted Living Facility Provider:

Thank you for your interest in Assisted Living Facilities in Montana. This letter is intended to guide you through the licensing process. Assisted Living Facilities are not required to be reviewed by the Health Planning Program, and therefore do not need a Certificate of Need. The following items must be submitted to the Licensure Bureau in order to license your facility:

- ❑ A floor plan of the facility documenting the size of all rooms and spaces utilized by the residents. This may be hand drawn as long as dimensions are included. If the bedroom has any built-in obstructions, such as a closet or bookcase, measurements are made from the front surface, not from the back. Door-swing areas are not included in the available square footage of the room. Additional requirements in relation to the physical property are found at ARM 37.106.2835 through ARM 37.106.2839 of the Administrative Rules for Assisted Living Facilities, and ARM 37.106.302 of the Minimum Standards for All Healthcare Facilities. Please review the rules carefully and determine that your facility meets the conditions set forth in that rule.
- ❑ Local Building Code approval. If your facility is new construction, please submit the Certificate of Occupancy, issued by the local or State building code authority.
- ❑ A completed License Application and fee. The License Application may be found at <https://dphhs.mt.gov/qad/Licensure/HealthCareFacilityLicensure/LBFacilityApplications/LBAssistedLivingFacility> Please note that if you are applying for a category B and/or C Endorsement, an additional application specific to the category type must also be submitted. These forms are available at the above web address.
- ❑ Policies and Procedures, for review and approval. These must be submitted at least forty-five (45) days prior to the expected facility opening date. Category B and C endorsements require additional policies and procedures to meet the regulatory requirements. The rules describing the regulatory requirements for assisted living can be found at the web address above.
- ❑ The Facility Resident Agreement, for review and approval. The Resident Agreement must meet the regulatory requirements, which can be found in ARM 37.106.2823.
- ❑ If the facility uses well water, please submit a copy of a Certified Laboratory Report of the well water for potability dated within the past year. Please contact your local County Health Department for assistance.
- ❑ If the facility is not on a city sewer system, please submit a copy of the local County Health Department septic system inspection. As a septic system is approved based on the number of bedrooms in a facility, the septic system inspection report must reflect the number of bedrooms (please note – number of bedrooms, not number of residents) in the facility applied for.

- Written verification, by the installer, that the electrical call system is installed, is functioning as designed, that connects residents to staff, and that it meets the requirements set forth in the AIA Guidelines for Design and Construction of Hospitals and Health Care Facilities 4.1-8.3.7.4 “Emergency call system”, in ARM 37.106.2836(1)(d) “Furnishings”, and ARM 37.106.2838(7) “Resident toilets and Bathing”. The above rules can be accessed from our website mentioned above and should be copied and supplied to the installer to ensure compliance.
- If the facility is to utilize an electrical security system to monitor and/or restrict resident movement, written verification from the installer that the system is installed and functioning as designed.
- Report of facility fire inspection. Please refer to the State Fire Marshall's website at <https://dojmt.gov/enforcement/investigations-bureau/fire-prevention/>, and contact the Fire Marshal for your area to determine who will conduct your fire inspection. ***Please note that if your exit doors are to be locked, only single –motion locks will be approved.***
- A statement from the prospective administrator stating that he/she has reviewed the rules pertaining to assisted living.

Upon submission and approval of all the aforementioned information and documentation and final approval from the Bureau construction consultant, the Licensure Bureau will issue a six (6) month provisional license. A facility may not accept residents until it is licensed. A health care facility surveyor from the Licensure Bureau will conduct an on-site survey of the facility within the provisional license period to assess compliance with assisted living regulations. This visit is also an opportunity for the facility to obtain any clarification on those regulations.

All assisted living facility administrators that do not hold a valid nursing home administrator’s license must, within six months of opening, successfully complete the self-study Senior Living University’s Administrator Level 1 certification. Senior Living University may be accessed at <http://www.seniorlivingu.com>.

In order to assist you in complying with these regulations, the Department has developed forms for required documentation. These forms, when properly utilized, will meet the requirements of the State. While a facility is not required to use these forms, they may be used if desired. These forms, and other information that might be useful to facilities can be found at on the website mentioned earlier in this letter.

If you have further questions, or have questions during the licensure process, you may contact the Licensure Bureau at 406-444-2676.

Sincerely,

Carter Anderson,  
Inspector General, Montana DPHHS