



MONTANA
ADMINISTRATIVE
REGISTER



DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

NOTICE OF ADOPTION

MAR NOTICE NO. 37-1105

Summary

Amendment of ARM 37.34.1501 pertaining to Developmental Disabilities Program Incident Reporting and Handling

Previous Notice(s) and Hearing Information

On December 20, 2024, the Department of Public Health and Human Services published MAR Notice No. 37-1105 pertaining to the public hearing on the proposed amendment of the above-stated rule at page 2626 of the 2024 Montana Administrative Register, Issue Number 24.

A hearing was held on January 13, 2025.

Final Rulemaking Action – Effective April 26, 2025

AMEND AS PROPOSED

The department has amended the following rule as proposed:

37.34.1501 INCIDENT REPORTING AND HANDLING, PURPOSE

Statement of Reasons

The department has considered the comments and testimony received. A summary of the comments received, and the agency's responses are as follows:

COMMENT #1: One commenter asked that we clarify the time frames for the Targeted Case Manager (TCM) and/or Quality Improvement Specialist (QIS) to sign off on the Incident Reports (IRs).

RESPONSE #1: The department clarifies that the time frame for TCMs and/or QISs are not identified in the manual, because TCMs and/or QISs may review IRs multiple times, ask questions/seek clarification, or wait until the incident is resolved before signing off.

COMMENT #2: One commenter asked that we clarify who has access to DDP's Data Management System (DMS) and notification requirements.

RESPONSE #2: The department clarifies that the persons who have access to DDP's DMS are DDP state employees and members of the Waiver recipient's team, which includes the targeted case manager and provider staff. If the Waiver recipient has a legal representative, notifications will be made via phone call, email, text, or written form.

Contact

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Rule Reviewer

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Approval

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