DPHHS Active Rulemaking

2025/ 2026 Interim

MAR No.	Subject	Date Proposal Published	Public Hearing Date	Public Comment Due	Adoption Must Be Published Before (*in preceding MAR*)
~~2026-324.1~~	~~Community Homes for Persons with Developmental Disabilities – updates licensing requirements for facilities. Proposes four new rules requiring staff background checks, service plans, discharge procedures, and medication documentation.~~	~~02/06/26~~	~~02/26/26~~	~~03/06/26~~	~~08/06/26~~ DPHHS did not publish the adoption notice for this rule within the 6-month MAPA window. This rulemaking no longer active.
2026-323.1 2026-323.2	Assisted Living Facility Licensing – updates licensing and documentation requirements for assisted living facilities. Proposes a new rule for category D facilities with restraint or seclusion services.	02/20/26 Supplemental notice: 04/24/26	03/12/26 05/18/26	~~03/20/26~~ 05/22/26	~~08/20/26~~ 10/01/26*
2026-847.1	Trauma Center Designation Criteria – updates rule to incorporate the most recent version of criteria document.	04/24/26	05/15/26	05/22/26	10/01/26*
2026-8.1	Hospice Reimbursement – updates rules to reflect federal regulations and updated federal Medicaid and Medicare fee schedules.	06/19/26	07/09/26	07/17/26	10/01/26*
2026-529.1	TANF Benefit and Payment Standards – implementing HB 2 (2023). Updates TANF policy manual incorporated by reference, updates gross monthly income (GMI) and cash assistance amounts.	07/10/26	07/31/26	08/7/26	01/10/27
2026-442.1	Communicable Disease Control – clarifies rule language and updates rules to current national disease surveillance, investigation, and control standards.	07/24/26	08/14/26	08/21/26	01/24/27
2026-127.1	Updating Medicaid and non-Medicaid provider rates, fee schedules, and effective states.	07/24/26	08/13/26	08/21/26	01/24/27
2026-113.1	Nursing Facility Reimbursement – 2027 rates to remain the same as 2026 rates except as required by statute.	07/24/26	08/13/26	08/21/26	01/24/27
2026-28.1	Newborn Screening – adds Acid Sphingomyelinase Deficiency (ASMD) to newborn screening panel tests.	08/07/26	08/28/26	09/04/26	02/07/27
2026-48.1	Child and Adolescent Day Treatment – updates full-time and part-time therapist caseload requirements and on-site requirements. Updates language regarding FTE caseload.	08/07/26	08/28/26	09/04/26	02/07/27

2026-84.1	Medicaid General Eligibility – primarily updates MT eligibility to align with H.R.1 federal guidelines. Updates renewal timelines, retroactive coverage, and eligibility verification process.	08/07/26	08/27/26	09/04/26	02/07/27
2026-533.1	Best Beginnings Child Care Scholarship – Updates scholarship program to make payments based on enrollment rather than attendance. Updates eligibility requirements and reporting requirements.	08/07/26	08/27/26	09/04/26	02/07/27

* 2-4-305(11) MCA prevents agencies from adopting a rule from Oct. 1 to Dec. 31 immediately prior to legislative session.

DPHHS Adopted Rulemaking

2025/ 2026 Interim

MAR No.	Subject	Date Proposal Published	Public Hearing Date	Public Comment Due	Adoption Must Be Published Before	Date of Adoption Publication
2025-522.1	Medicaid Hospice Reimbursement – update reimbursement fee schedule	04/25/25	05/19/25	05/23/25	10/25/25	07/11/25
2025-280.1	Community First Choice Provider Enrollment – electronic visit verification requirements	02/21/25	03/14/25	03/21/25	08/21/25	07/25/25
2025-53.1	Pediatric Complex Care Assistant Services – implement HB 449 (2023)	06/27/25	07/18/25	07/25/25	12/27/25	09/26/25
2025-98.1	Inpatient Rehabilitation Facilities – provide definition and base rate	04/25/25	5/14/25	05/23/25	10/25/25	10/10/25
2025-276.1	Applied Behavior Analysis Services – adopt new manual and update references to MCA	04/25/25	05/15/25	05/23/25	10/25/25	10/10/25
2025-278.1	Positive Behavior Support Systems – update terminology and include SB 5 group recommendations	04/25/25	05/16/25	05/23/25	10/25/25	10/10/25
2025-526.1	Big Sky RX Program – increase amount of Big Sky RX benefit	07/25/25	08/14/25	08/22/25	01/25/26	11/07/2025
2025-524.1	Community Supports and Supported Living Services – remove categories of bundled services from Big Sky Waiver that will be covered as stand-alone services	07/25/25	08/15/25	08/22/25	01/25/26	11/21/2025
2025-523.1	Home and Community-Based Services Program – establish electronic visit verification requirements	06/06/25	06/27/25	07/07/25	12/06/25	11/21/2025
2025-528.1	Emergency Medical Services – adopt updated emergency medical services rule appendix and provide for additional member of the ambulance service advisory committee	08/08/25	09/02/25	09/05/25	02/08/26	11/21/2025
2025-152.1	Updating Medicaid and Non-Medicaid Provider Rates, Fee Schedules, and Effective Dates	10/10/25	10/31/25	11/07/25	04/10/26	01/09/2026

2025-6.1	Adoption Assistance – updates definitions, eligibility requirements, and appeal process for assistance program	10/24/25	11/14/25	11/21/25	04/24/26	01/23/26
2025-527.1	Low Income Weatherization Assistance Program (LIWAP) – modifies and clarifies priorities for weatherization services	10/10/25	10/30/25	11/07/25	04/10/26	01/23/26
2025-156.1	Newborn Screening – update Montana newborn screening testing to include Pompe disease	10/10/25	10/30/25	11/07/25	04/10/26	01/23/26
2025-175.1	Automated External Defibrillators – repealing 7 rules pertaining to AEDs pursuant to SB86	11/07/25	No hearing scheduled	12/05/25	05/07/26	01/23/26
2025-176.1	Electronic Parental Review of Birth Certificate Information – requires birth certificates to be submitted through electronic registration system	10/10/25	10/30/25	11/07/25	04/10/26	01/23/26
2025-112.1	Montana Accessible Communications (MTAC) Financial Eligibility Criteria – updates requirements to align with federal poverty level index guidelines.	11/07/25	~~12/01/25~~ 01/08/2026	~~12/05/25~~ 01/16/2026	05/07/26	04/10/26
2025-93.1	Medicaid Nursing Facility Rates – updates facility rates and reporting requirements.	11/07/25	~~12/01/25~~ 01/09/2026	~~12/05/25~~ 01/16/2026	05/07/26	04/10/26
2025-129.1	Developmental Disability Program Rates and Billing Manual – updates Medicaid reimbursement rates and dates.	11/07/25	~~12/02/25~~ 01/09/2026	~~12/05/25~~ 01/16/2026	05/07/26	04/10/26
2026-366.1	Big Sky Rx Benefit – proposes a decrease to the maximum benefit in accordance with the federally established Low-Income Subsidy monthly premium benchmark. Lowers maximum benefit from $50.60 per month to $41.50 per month.	02/06/26	02/26/26	03/06/26	08/06/26	04/24/26
2026-285.1	Passport to Health Program – proposes updates to eligibility, exemption, and participation requirements for the Passport to Health Program.	02/06/26	02/27/26	03/06/26	08/06/26	05/08/2026
2026-532.1	Low Income Home Energy Assistance Program (LIHEAP) – updates eligibility criteria, definitions, application timeline, and credit balances for LIHEAP, an entirely federally funded program.	02/06/26	02/27/26	03/06/26	08/06/26	05/22/2026
2026-514.1	Health and Economic Livelihood Partnership (HELP) Program, Medicaid Expansion – proposed changes intend	04/24/26	05/14/26	05/22/26	10/24/26	06/19/2026

	to align state rules with One Beautiful Bill. Updates definitions and various compliance requirements.					
2026-315.1	Newborn Safety Devices – proposes rules to implement grant funding program created by HB 476. Grant funding supports installation of newborn safety devices at qualified locations.	02/06/26	02/27/26	03/06/26	08/06/26	07/10/2026
2026-210.1	HMK Evidence of Coverage Update – updates the rule to reflect most recent version of the Healthy Montana Kids Evidence Coverage document.	04/24/26	05/15/26	05/22/26	10/01/26	07/24/2026
2026-857.1	Delayed Birth Certificates – updates process and documents required for births certificates that were not properly recorded within one year of birth.	04/24/26	05/15/26	05/22/26	10/01/26	07/24/2026
2026-367.1	Office of Inspector General Investigative Subpoenas – proposes a new rule to authorize DPHHS investigators to issue subpoenas for investigations, per HB 891.	04/24/26	05/14/26	05/22/26	10/01/26	07/24/2026
2026-427.1	Experimental Treatment Centers – Proposes 25 new rules to implement SB 535, authorizing experimental treatment facilities.	04/10/26	04/30/26	05/08/26	10/01/26	07/24/2026
2026-433.1	Food Service Requirements – updates and removes language exempting certain hotels and motels from food licensing, per HB 853.	04/24/26	05/14/26	05/22/26	10/01/26	08/07/2026
2026-852.1	Authorized Format for Submission of Vital Records – updates rule to specify what special characters are allowed within vital records.	04/24/26	05/15/26	05/22/26	10/01/26	08/07/2026
2026-170.1	Medicaid and Non-Medicaid Rates – updates provider rates, fee schedules, and effective dates. Updates the BHDD Medicaid Services Provider Manual for Substance Use Disorder and Adult Mental Health.	04/24/26	05/14/26	05/22/26	10/01/26	08/21/2026
2026-322.1	Residential Treatment Centers – proposes a robust new set of 45 rules to establish licensing procedures and requirements for residential treatment centers.	03/06/26	03/30/26	04/03/26	09/06/26	08/21/2026
2026-525.1	CSCT and HSS Rate Restructure and Service Provision – updates billing structure and definitions. Returns Medicaid CSCT reimbursement back to a 15-minute unit.	03/20/26	04/10/26	04/17/26	09/20/26	08/21/2026