



1 individual responsible for the management and supervision of the respondent's treatment; or  
 2 (2) (b) specific residential or housing requirements that may include being under the care or custody  
 3 of a relative or guardian.

4 (2) The department of public health and human services shall establish a fee schedule and  
 5 administrative rules to address the payment of costs associated with the commitment of a person to a  
 6 community facility or program pursuant to this section."

7

8 **Section 3.** Section 53-21-193, MCA, is amended to read:

9 **"53-21-193. Commitment to behavioral health inpatient facilities -- preference -- voluntary**

10 **treatment.** (1) If a respondent is committed to the state hospital under 53-21-127 or if a person in an  
 11 emergency situation requires detention under 53-21-129 and a bed is available at a behavioral health inpatient  
 12 facility, the professional person shall inform the county attorney who shall inform the person who is responsible  
 13 for transporting the individual as to the appropriate facility to which the individual is to be transported for  
 14 admission.

15 (2) If a respondent is committed to or an individual requires emergency detention in a behavioral  
 16 health inpatient facility, the facility must be notified and the facility shall state that a bed is available and agree  
 17 to accept transfer of the patient based on admission criteria before an individual may be transferred to the  
 18 behavioral health inpatient facility under this section.

19 (3) A respondent who is committed to or an individual who is transferred to a behavioral health  
 20 inpatient facility may be transferred to the state hospital for the remaining period of commitment in accordance  
 21 with criteria established by the department by rule pursuant to 53-21-194. A court order for commitment or  
 22 transfer must include the transfer authority, and all conditions contained in the court order apply after a transfer.

23 (4) The court may not order commitment of the respondent or transfer of an individual to a  
 24 behavioral health inpatient facility under this part if a bed is not available or if the licensed capacity would be  
 25 exceeded.

26 (5) If a bed is available, a behavioral health inpatient facility may admit a person for voluntary  
 27 treatment.

28 (6) The department of public health and human services shall establish a fee schedule and

1 administrative rules to address the payment of costs associated with the commitment of a person to a  
2 behavioral health inpatient facility as provided by this section."

3  
4 NEW SECTION. Section 4. Appropriation. (1) There is appropriated \$5,000 from the general fund to  
5 the department of public health and human services for the biennium beginning July 1, 2025, for the costs of  
6 implementing [this act].

7 (2) The legislature intends that this is a one-time-only appropriation.

8 - END -