

Functions of the Mental Disabilities Board of Visitors

Mental Health System

The Board is responsible to ensure that people receiving services from mental health programs in Montana are treated humanely and that treatment is consistent with established clinical and other professional standards, and meets the requirements in state law. ([53-21-104, MCA](#))

The Board does this by:

- ⌚ conducting on site reviews of mental health programs
- ⌚ reviewing treatment plans and the general treatment of people receiving services from mental health programs
- ⌚ reviewing the use of behavioral control techniques (seclusion, restraint, time out, etc.)
- ⌚ assisting individuals receiving services from mental health programs to resolve grievances
- ⌚ review all plans for experimental research
- ⌚ making recommendations for improvement or corrective action

Montana State Hospital

In addition to the above responsibilities, the Board is responsible for providing full time legal and advocacy services to patients at Montana State Hospital.

The Board does this by doing the following:

Representing hospital patients in the following proceedings before the Montana Third Judicial District Court:

- ⌚ commitment hearings ([53-21-122, MCA](#))
- ⌚ recommitment hearings ([53-21-128, MCA](#))
- ⌚ guardianship hearings
- ⌚ objections to transfer from Montana State Hospital to Montana Mental Health Nursing Care Center ([53-21-414, MCA](#))
- ⌚ petitions for discharge ([53-21-104 \(6\), MCA](#))
- ⌚ *habeas corpus* petitions

Assisting and advocating for patients in the following areas:

- ⌚ grievances related to patient rights violations
- ⌚ hospital requests to administer medications against the wishes of patients
- ⌚ consideration of privileges, discharge, conditional release, and treatment options for patients who are criminally committed
- ⌚ allegations of abuse or neglect of patients
- ⌚ review of treatment records

Montana Developmental Center

The Board is responsible to ensure that people receiving services from the Montana Developmental Center are treated humanely and that treatment is consistent with established clinical and other professional standards, and meets the requirements in state law. ([53-20-104, MCA](#))

The Board does this by:

- ⌚ conducting on site reviews of the Montana Developmental Center
- ⌚ reviewing treatment plans and the general treatment of people receiving services from the Montana Developmental Center
- ⌚ assisting individuals receiving services from mental health programs to resolve grievances review all plans for experimental research
- ⌚ investigating all allegations of mistreatment of residents
- ⌚ making recommendations for improvement or corrective action