

Treatment programs support, question proposed rules

By Amy Beth Hanson | September 13, 2019

HELENA — Operators of private adolescent residential treatment programs in Montana say they welcome state oversight, but the regulations being proposed won't meet the needs of such diverse programs.

The Department of Public Health and Human Services held a public hearing Thursday on the proposed rules, which are meant to create clear licensing requirements and establish minimum health and safety standards, said Erica Johnston, the agency's operations services branch manager.

The 2019 Legislature put the treatment programs under the supervision of the health department effective July 1 after a series of stories by the Missoulian indicated complaints against private treatment programs were not acted upon by an oversight board made up of administrators of similar facilities.

On July 23, the agency removed 27 children from The Ranch For Kids in Rexford over escalating reports of physical and psychological abuse and suspended its license.

The proposed rules require programs to have written policies and procedures; admission standards and written case plans; employee background checks; as well as set health, safety and nutrition standards and staffing ratios while limiting the use of physical restraints and other punitive actions.

Officials with several treatment programs questioned a proposed requirement that some staff be awake overnight, saying they don't accept children who need that level of supervision.

"We've never had awake staffing," said Corey Hickman, the executive director of the Chrysalis Therapeutic Boarding School for girls in Eureka. He said families choose their facility, which treats girls suffering from trauma, relational difficulties and mood disorders. The girls have live-in house parents who can be awakened at night, if needed.

Others argued they do not need a nurse on staff because they are providing treatment for behavioral issues, not medical care. William Sutley, program director for The Ranch For Kids, said he supported "appropriate oversight." He said some of the proposed rules go too far or are cost prohibitive and in other cases they don't go far enough.

"It is clear to me that these solutions can only be realized when there's an understanding of the population that the programs exist to serve," Sutley said during the public hearing. "It's also clear to me that DPHHS really has no idea who The Ranch For Kids is as a program and has no idea who the population is that we serve and what their specific mental health issues are."

The ranch's website says it provides treatment for children with issues caused by maternal use of alcohol or drugs while pregnant or an inability to bond with adoptive parents.

The proposed rules could be improved by the agency partnering with the programs, he said.

"Inherent is this need for basic mutual trust," said Sutley, who is appealing the suspension of the program's license. Complaints against the ranch included forced exercise, children being hit and kicked by staff, being denied contact with their parents as a form of punishment, or having mattresses removed as punishment for bedwetting.

The allegations at The Ranch For Kids influenced some of the proposed rules, which require all children have mattresses with water-proof covers and that family contact not be limited, Johnston said.

Democratic Sen. Diane Sands of Missoula, who sponsored the legislation to change the program oversight, said she expects the rules will be adopted much like they have been proposed.

Public comment will be taken through Sept. 20, and the rules could take effect as early as October, Johnston said.