



### PERMISSION FOR SUPERVISED FISHING EVENTS

Montana law 87-2-802 MCA (see reverse) allows the manager or director of an eligible facility, licensed in Montana, to apply for permission to take supervised residents fishing during activities approved by the facility. **Please** print or type the information requested below. Mail this form, with a copy of the current facility license from the Montana Department of Health & Human Services, to:

**Law Enforcement  
Montana Fish, Wildlife & Parks  
PO Box 200701  
Helena, MT 59620-0701**

*Please call us if you have any questions (406) 444-2452*

Name of facility: \_\_\_\_\_  
Mailing address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_ Telephone: \_\_\_\_\_

**Type of facility** (see definitions on reverse)

Please check appropriate line and **attach copy of facility license**. The facility must currently be licensed under one of the statutes listed below:

- \_\_\_\_\_ Licensed long term care facility (50-5-101, MCA)
- \_\_\_\_\_ Licensed assisted living facility (50-5-101, MCA)
- \_\_\_\_\_ Licensed community home for persons with developmental disabilities (53-20-305, MCA)
- \_\_\_\_\_ Licensed community home for persons with severe disabilities (52-4-203, MCA)
- \_\_\_\_\_ Other institution under the jurisdiction of DPHHS (87-2-802(1), MCA)

Facility License Number: \_\_\_\_\_

Number of residents: \_\_\_\_\_ Maximum number of residents to go fishing: \_\_\_\_\_

Anticipated fishing dates: \_\_\_\_\_

Submitted by (name): \_\_\_\_\_ Date: \_\_\_\_\_

Name of Manager or Director: \_\_\_\_\_

*Please print*

Signature of Manager or Director: \_\_\_\_\_

**NOTE:** The original of this form must be carried on all fishing trips. The permission applies only to residents of the authorized facility while on a supervised fishing trip. Staff and any other persons fishing with the group must have the required fishing licenses.

**MONTANA FWP AUTHORIZATION**

By (Name): \_\_\_\_\_ Title: \_\_\_\_\_  
Signature: \_\_\_\_\_ Expires: March 1, 20 \_\_\_\_\_

**87-2-802. Veterans in VA hospitals and residents of state institutions and long-term care facilities, nursing care facilities, assisted living facilities, and community homes for persons with disabilities.**

(1) A veteran who is a patient residing at a hospital operated by the department of veterans affairs, within or outside the state, and residents of all institutions under the jurisdiction of the department of public health and human services may fish without a license. The residents shall carry a permit on a form prescribed by the department and signed by the superintendent of the institution in lieu of a license.

(2) Upon annual application by managers or directors of licensed long-term care facilities and assisted living facilities as defined in [50-5-101](#), community homes for persons with developmental disabilities licensed under [53-20-305](#), and community homes for persons with severe disabilities licensed under [52-4-203](#), the department shall allow supervised residents to fish without the otherwise required license during any activities approved by the facilities and homes.

**50-5-101. Definitions.** As used in parts 1 through 3 of this chapter, unless the context clearly indicates otherwise, the following definitions apply:

(7) "**Assisted living facility**" (formerly Personal care facility) means a congregate residential setting that provides or coordinates personal care, 24-hour supervision and assistance, both scheduled and unscheduled, and activities and health-related services.

(35) (a) "**Long-term care facility**" means a facility or part of a facility that provides skilled nursing care, residential care, intermediate nursing care, or intermediate developmental disability care to a total of two or more individuals or that provides personal care.

(b) The term does not include community homes for persons with developmental disabilities licensed under [53-20-305](#); community homes for persons with severe disabilities, licensed under [52-4-203](#); youth care facilities, licensed under [52-2-622](#); hotels, motels, boardinghouses, roominghouses, or similar accommodations providing for transients, students, or individuals who do not require institutional health care; or juvenile and adult correctional facilities operating under the authority of the department of corrections.

**52-4-202. Definitions.** As used in [52-4-201](#) through [52-4-205](#), the following definitions apply:

(1) "**Community home for persons with severe disabilities**" means a family-oriented residence that is designed to provide residential services for two to eight persons with severe disabilities and that does not provide skilled or intermediate nursing care. This definition does not preclude the provision of skilled or intermediate nursing care by third-person providers.

**53-20-302. Definition of community home -- limitation on number of residents. A community home for persons with developmental disabilities** is a family-oriented residence or home designed to provide facilities for two to eight persons with developmental disabilities, established as an alternative to existing state institutions. The number of persons with developmental disabilities may not exceed eight in a community home, except that the department of public health and human services may grant written approval for more than eight but not more than twelve persons.

**53-20-305. Local control of community homes -- departmental licensing, administration, operation, health and safety standards.** (1) Community homes for persons with developmental disabilities may be under local control, and the nonprofit corporations or associations operating community homes are authorized to establish homes and programs they believe in the best interest of their homes.

(2) (a) A community home for persons with developmental disabilities must be licensed annually by the department of public health and human services.

(b) One temporary license may be issued for no longer than 60 days if there are unavoidable delays in the certification process.

(3) The department of public health and human services for the purpose of licensing shall adopt standards and rules concerning the administration, operation, health, and safety of community homes for persons with developmental disabilities.