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HEALTH AND SAFETY CODE - HSC

DIVISION 2. LICENSING PROVISIONS [1200 - 1796.70] (*Division 2 enacted by Stats. 1939, Ch. 60.*)

CHAPTER 8.5. California Hospice Licensure Act of 1990 [1745 - 1759] (*Chapter 8.5 added by Stats. 1990, Ch. 1343, Sec. 1.*)

ARTICLE 1.5. Hospice Patient Referral [1746.50 - 1746.52] (*Article 1.5 added by Stats. 2021, Ch. 478, Sec. 1.*)

1746.50. (a) A hospice provider, employed hospice staff, or an agent for the hospice shall not give payment to referral sources for the referral of patients to the hospice.

(b) A hospice salesperson, recruiter, agent, or employee who receives any form of compensation or remuneration for hospice referrals or admissions shall not provide consultation on hospice services, hospice election, or informed consent to a patient, patient's family, or patient's representative.

(c) The election of hospice, informed consent, completed signatures, and counsel on the election of hospice to a patient, patient's family, or patient's representative shall only be completed by a registered nurse, licensed vocational nurse, medical social worker, chaplain, or counselor employed by the hospice.

(*Added by Stats. 2021, Ch. 478, Sec. 1. (AB 1280) Effective January 1, 2022.*)

1746.52. For purposes of this article:

(a) "Patient's representative" means either a person designated by the patient as their representative or a person acting on the patient's behalf under the authority of the Long-Term Care Patient Representative Program pursuant to Chapter 3.6 (commencing with Section 9260) of Division 8.5 of the Welfare and Institutions Code.

(b) "Payment" means anything of value, including cash, gift cards, prepaid cards, or remuneration of any kind.

(c) "Referral source" means a medical or nonmedical entity or medical or nonmedical provider that refers a patient, patient's family, or patient's representative to a hospice provider for a consultation or any other reason.

(*Added by Stats. 2021, Ch. 478, Sec. 1. (AB 1280) Effective January 1, 2022.*)