

§ 558.859 Hospice Discharge or Transfer of Care

(a) If a hospice transfers the care of a client to another facility or agency, the hospice must provide a copy of the hospice discharge summary and, if requested, a copy of the client's record to the receiving facility or agency.

(b) If a client revokes the election of hospice care or is discharged by the hospice for any reason listed in subsection (d) of this section, the hospice must provide a copy of the hospice discharge summary and, if requested, a copy of the client's record to the client's attending practitioner.

(c) A hospice discharge summary must include:

- (1) a summary of the client's stay, including treatments, symptoms, and pain management;
- (2) the client's current plan of care;
- (3) the client's latest physician orders; and
- (4) any other documentation needed to assist in post-discharge continuity of care or that is requested by the attending practitioner or receiving facility or agency.

(d) In addition to the requirements in § 558.295 of this chapter (relating to Client Transfer or Discharge Notification Requirements), a hospice may discharge a client if:

- (1) the client moves out of the hospice's service area or transfers to another hospice;
- (2) the hospice determines that the client is no longer terminally ill; or
- (3) the hospice determines, under a policy set by the hospice for addressing discharge for cause, that the behavior of the client or other person in the client's home is disruptive, abusive, or uncooperative to the extent that delivery of care to the client or the ability of the hospice to operate effectively is seriously impaired.

(e) Before a hospice seeks to discharge a client for cause, the hospice must:

- (1) advise the client that a discharge for cause is being considered;
- (2) make a reasonable effort to resolve the problems presented by the client's behavior or situation;
- (3) document in the client's record the problems and efforts made by the hospice to resolve the problems; and
- (4) ascertain that the client's proposed discharge is not due to the client's use of necessary hospice services.

(f) Before discharging a client for any reason listed in subsection (d) of this section, the hospice must obtain a written physician's discharge order from the hospice medical director. If the client has an attending practitioner involved in the client's care, the attending practitioner should be consulted before discharge and the practitioner's review and decision should be included in the discharge note.

(g) A hospice must have a discharge planning process that addresses the possibility that a client's condition might stabilize or otherwise change such that the client cannot continue to be certified as terminally ill. A client's discharge planning must include any necessary family counseling, client education or other services before the hospice discharges the client based

on a decision by the hospice medical director or physician designee that the client is no longer terminally ill.

Notes

26 Tex. Admin. Code § 558.859

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