

R432-150-22 Admission, Transfer, and Discharge

(1)

Each facility must develop written admission, transfer and discharge policies and make these policies available to the public upon request. The facility must permit each resident to remain in the facility, and not transfer or discharge the resident from the facility unless: (a) The transfer or discharge is necessary for the resident's welfare and the resident's needs cannot be met in the facility; (b) The transfer or discharge is appropriate because the resident's health has improved sufficiently so the resident no longer needs the services provided by the facility; (c) The safety of individuals in the facility is endangered; (d) The health of individuals in the facility is endangered; (e) The resident has failed, after reasonable and appropriate notice, to pay for a stay at the facility; or (f) The facility ceases to operate.

(a)

The transfer or discharge is necessary for the resident's welfare and the resident's needs cannot be met in the facility;

(b)

The transfer or discharge is appropriate because the resident's health has improved sufficiently so the resident no longer needs the services provided by the facility;

(c)

The safety of individuals in the facility is endangered;

(d)

The health of individuals in the facility is endangered;

(e)

The resident has failed, after reasonable and appropriate notice, to pay for a stay at the facility; or

(f)

The facility ceases to operate.

(2)

The facility must document resident transfers or discharges under any of the circumstances specified in R432-150-22(1)(a) through (f), in the resident's medical record. The transfer or discharge documentation must be made by: (a) the resident's physician if transfer or discharge is necessary under R432-150-22(1)(a) and (b); (b) a physician if transfer or discharge is necessary under R432-150-22(1)(c) and(d).

(a)

the resident's physician if transfer or discharge is necessary under R432-150-22(1)(a) and (b);

(b)

a physician if transfer or discharge is necessary under R432-150-22(1)(c) and(d).

(3)

Prior to the transfer or discharge of a resident, the facility must: (a) provide written notification of the transfer or discharge and the reasons for the transfer or discharge to the resident, in a language and manner the resident understands, and, if known, to a family member or legal representative of the resident; (b) record the reasons in the resident's clinical record; and (c) include in the notice the items described in R432-150-22(6).

(a)

provide written notification of the transfer or discharge and the reasons for the transfer or discharge to the resident, in a language and manner the resident understands, and, if known, to a family member or legal representative of the resident;

(b)

record the reasons in the resident's clinical record; and

(c)

include in the notice the items described in R432-150-22(6).

(4)

Except when specified in R432-150-22(5)(a), the notice of transfer or discharge required under R432-150-22(3), must be made by the facility at least 30 days before the resident is transferred or discharged.

(5)

Notice may be made as soon as practicable before transfer or discharge if: (a) the safety or health of individuals in the facility would be endangered if the resident is not transferred or discharged sooner; (b) the resident's health improves sufficiently to allow a more immediate transfer or discharge; (c) an immediate transfer or discharge is required by the resident's urgent medical needs; or (d) a resident has not resided in the facility for 30 days.

(a)

the safety or health of individuals in the facility would be endangered if the resident is not transferred or discharged sooner;

(b)

the resident's health improves sufficiently to allow a more immediate transfer or discharge;

(c)

an immediate transfer or discharge is required by the resident's urgent medical needs;

or

(d)

a resident has not resided in the facility for 30 days.

(6)

The contents of the written transfer or discharge notice must include the following:

(a) the reason for transfer or discharge; (b) the effective date of transfer or discharge; (c) the location to which the resident is transferred or discharged; and (d) the name, address, and telephone number of the State and local Long Term Care Ombudsman programs. (e) For nursing facility residents with developmental disabilities, the notice must contain the mailing address and telephone number of the agency responsible for the protection and advocacy of developmentally disabled individuals established under part C of the Developmental Disabilities Assistance and Bill of Rights Act. (f) For nursing facility residents who are mentally ill, the notice must contain the mailing address and telephone number of the agency responsible for the protection and advocacy of mentally ill individuals established under the Protection and Advocacy for Mentally Ill Individuals Act.

(a)

the reason for transfer or discharge;

(b)

the effective date of transfer or discharge;

(c)

the location to which the resident is transferred or discharged; and

(d)

the name, address, and telephone number of the State and local Long Term Care Ombudsman programs.

(e)

For nursing facility residents with developmental disabilities, the notice must contain the mailing address and telephone number of the agency responsible for the protection and advocacy of developmentally disabled individuals established under part C of the Developmental Disabilities Assistance and Bill of Rights Act.

(f)

For nursing facility residents who are mentally ill, the notice must contain the mailing address and telephone number of the agency responsible for the protection and advocacy of mentally ill individuals established under the Protection and Advocacy for Mentally Ill Individuals Act.

(7)

The facility must provide discharge planning to prepare and orient a resident to ensure safe and orderly transfer or discharge from the facility.

(8)

Notice of resident bed-hold policy, transfer and re-admission must be documented in the resident file. (a) Before a facility transfers a resident to a hospital or allows a resident to go on therapeutic leave, the facility must provide written notification and information to the resident and a family member or legal representative that specifies: (i) the facility's policies regarding bed-hold periods permitting a resident to return; and (ii) the duration of the bed-hold policy, if any, during which the resident is permitted to return and resume residence in the facility. (b) At the time of transfer of a resident to a hospital or for therapeutic leave, the facility must provide written notice to the resident and a family member or legal representative, which specifies the duration of the bed-hold policy. (c) If transfers necessitated by medical emergencies preclude notification at the time of transfer, notification shall take place as soon as possible after transfer. (d) The facility must establish and follow a written policy under which a resident whose hospitalization or therapeutic

leave exceeds the bed-hold period is readmitted to the facility.

(a)

Before a facility transfers a resident to a hospital or allows a resident to go on therapeutic leave, the facility must provide written notification and information to the resident and a family member or legal representative that specifies: (i) the facility's policies regarding bed-hold periods permitting a resident to return; and (ii) the duration of the bed-hold policy, if any, during which the resident is permitted to return and resume residence in the facility.

(i)

the facility's policies regarding bed-hold periods permitting a resident to return; and

(ii)

the duration of the bed-hold policy, if any, during which the resident is permitted to return and resume residence in the facility.

(b)

At the time of transfer of a resident to a hospital or for therapeutic leave, the facility must provide written notice to the resident and a family member or legal representative, which specifies the duration of the bed-hold policy.

(c)

If transfers necessitated by medical emergencies preclude notification at the time of transfer, notification shall take place as soon as possible after transfer.

(d)

The facility must establish and follow a written policy under which a resident whose hospitalization or therapeutic leave exceeds the bed-hold period is readmitted to the facility.

(9)

The facility must establish and maintain identical policies and practices regarding

transfer, discharge, and the provision of services for all individuals regardless of pay source.

(10)

The facility must have in effect a written transfer agreement with one or more hospitals to ensure that: (a) residents are transferred from the facility to the hospital and ensured of timely admission to the hospital when transfer is medically necessary as determined by the attending physician; (b) medical and other information needed for care and treatment of residents is exchanged between facilities including documentation of reasons for a less expensive setting; and (c) security and accountability of personal property of the individual transferred is maintained.

(a)

residents are transferred from the facility to the hospital and ensured of timely admission to the hospital when transfer is medically necessary as determined by the attending physician;

(b)

medical and other information needed for care and treatment of residents is exchanged between facilities including documentation of reasons for a less expensive setting; and

(c)

security and accountability of personal property of the individual transferred is maintained.