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Title 22@ Social Security

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Division 5@ Licensing and Certification of Health Facilities, Home Health Agencies, Clinics, and Referral Agencies

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Chapter 1@ General Acute Care Hospitals

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Article 7@ Administration

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Section 70717@ Admission, Transfer and Discharge Policies

70717 Admission, Transfer and Discharge Policies

(a)

Each hospital shall have written admission, transfer and discharge policies which encompass the types of clinical diagnoses for which patients may be admitted, limitations imposed by law or licensure, staffing limitations, rules governing emergency admissions, advance deposits, rates of charge for care, charges for extra services, terminations of services, refund policies, insurance agreements and other financial considerations, discharge of patients and other related functions.

(b)

Hospitals offering emergency and/or outpatient services shall make available, upon request of a patient, a schedule of hospital charges.

(c)

Patients shall be admitted only upon the order and under the care of a member of the medical staff of the hospital who is a licensed health care practitioner acting within the scope of his or her professional licensure. The patient's condition and provisional diagnosis shall be established at time of admission by the member of the medical staff who admits the patient, subject to the rules and regulations of the hospital, and the provisions of Section 70705(a). (1) Patients admitted to the hospital for podiatric services shall receive the same basic medical appraisal as patients admitted for other services. This shall include the performance and

recording of the findings in the health record of an admission history and physical examination which shall be performed by persons lawfully authorized to do so by their respective practice acts.

(1)

Patients admitted to the hospital for podiatric services shall receive the same basic medical appraisal as patients admitted for other services. This shall include the performance and recording of the findings in the health record of an admission history and physical examination which shall be performed by persons lawfully authorized to do so by their respective practice acts.

(d)

Within 24 hours after admission, or immediately before, every patient shall have a complete history and physical examination performed providing the condition of the patient permits.

(e)

No mentally competent adults shall be detained in a hospital against their will.

Emancipated minors shall not be detained in a hospital against their will.

Unemancipated minors shall not be detained against the will of their parents or legal guardians. In those cases where law permits unemancipated minors to contract for medical care without the consent of their parents or legal guardians, the minors shall not be detained in the hospital against their will. This provision shall not be construed to preclude or prohibit attempts to persuade a patient to remain in the hospital in the patient's own interest nor the detention of mentally disordered patients for the protection of themselves or others under the provisions of the Lanterman-Petris-Short Act (Welfare and Institutions Code, Section 5000, et seq.,) if the hospital has been designated by the county as a treatment facility pursuant to said act nor to prohibit minors legally capable of

contracting for medical care from assuming responsibility for their discharge. However, in no event shall a patient be detained solely for nonpayment of a hospital bill.

(f)

No patient shall be transferred or discharged solely for the purposes of effecting a transfer from a hospital to another health facility unless: (1) Arrangements have been made in advance for admission to such health facility. (2) A determination has been made by the patient's licensed health care practitioner acting within the scope of his or her professional licensure, based on his or her assessment of the patient's clinical condition, that such a transfer or discharge would not create a hazard to the patient. (3) The patient or the person legally responsible for the patient has been notified, or attempts have been made over the 24-hour period prior to the patient's transfer and the legally responsible person cannot be reached.

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(3)

The patient or the person legally responsible for the patient has been notified, or attempts have been made over the 24-hour period prior to the patient's transfer and the legally responsible person cannot be reached.

(g)

Minors shall be discharged only to the custody of their parents or legal guardians or custodians, unless such parents or guardians shall otherwise direct in writing. This provision shall not be construed to preclude minors legally capable of contracting for medical care from assuming responsibility for themselves upon discharge.

(h)

Each patient upon admission shall be provided with a wristband identification tag or other means of identification unless the patient's condition will not permit such identification. Minimum information shall include the name of the patient, the admission number and the name of the hospital.

(i)

No patients shall be admitted routinely to a distinct part of a hospital unless it is appropriate for the level of care required by those patients.

(j)

Patients with critical burns shall be treated in a burn center unless transfer of the patient to the burn center is contraindicated in the judgment of the attending physician.