

Conditions for Coverage

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Involuntary Patient Discharge/Transfer

Facilities should seriously consider the decision to involuntarily transfer or discharge a patient. Below are excerpts from the Conditions for Coverage released 4/15/08. The regulations have changed. Facilities are strongly encouraged to read carefully and become very familiar with the new conditions.

- *Inform patient of rules and expectation of facility for patient conduct and responsibilities*
- *Inform patient about facility internal grievance process*

The facility internal grievance process must include a clear procedure for submission of the grievance, timeframes for review, and a description of how the patient or designee will be informed of the steps taken to resolve the grievance.

- *Inform patient about ESRD Network and State agency and how to contact both*
- *Inform patient of right to file internal or external grievance without reprisal or denial of services*
- *Inform patient of right to file internal or external grievance personally, anonymously, or via a representative.*
- *Inform patient of facility discharge policy, transfer and discontinuation of service policies*
- *Provide patient and the ESRD Network with notice 30 days prior to terminating care. A credible immediate threat to the health and safety of others may result in a shorter discharge procedure.*

- *The staff members of the facility must follow the Policies and Procedures for discharge and transfer.*

The Medical Director ensures that no patient is discharged or transferred from the facility unless:

1. *The patient or payer no longer reimburses the facility for the ordered services*
2. *The facility ceases to operate*
3. *The transfer is necessary for the patients welfare because the facility can no longer meet the patients documented medical needs*
4. *The facility has reassessed the patient and determined that the patients behavior is disruptive and abusive to the extent that the delivery of care to the patient or the ability of the facility to operate effectively is seriously impaired, in which case the medical director ensures that the patients interdisciplinary team*
 - *Documents the reassessments, ongoing problems and enters this documentation in to the medical record*
 - *Obtains a written physicians order that must be signed by both the medical director and the patients attending physician concurring with the patients discharge or transfer from the facility*
 - *Attempts to place the patient in another facility and documents that effort*
 - *Notified the state survey agency of the involuntary discharge or transfer*