

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the resolve in section 1 in the 3rd line (page 1, line 17 in L.D.) by inserting after the following: "shall" the following: 'continue its efforts to'

Amend the resolve in section 1 in the 5th line (page 1, line 19 in L.D.) by inserting after the following: "61." the following: 'The department shall report to the Joint Standing Committee on Health and Human Services by February 1, 2010 on the department's progress.'

Amend the resolve in section 1 in subsection 3 in the first line (page 1, line 25 in L.D.) by striking out the following: "nursing" and inserting the following: 'long-term care'

Amend the resolve in section 1 in subsection 6 in the first line (page 1, line 33 in L.D.) by striking out the following: "nursing facilities" and inserting the following: 'long-term care facility staff'

Amend the resolve in section 2 in the first line (page 2, line 1 in L.D.) by striking out the following: "**Case mix reimbursement.**" and inserting the following: '**Reimbursement.**'

Amend the resolve in section 2 in the 2nd line (page 2, line 2 in L.D.) by striking out the following: "case mix"

Amend the resolve by striking out all of section 3 (page 2, lines 8 to 15 in L.D.) and inserting the following:

‘Sec. 3 Standardized transfer protocol; improved discharge planning. Resolved:

That the department shall work with representatives of the long-term care ombudsman program established pursuant to the Maine Revised Statutes, Title 22, section 5106, subsection 11-C, hospitals, nursing facilities and residential care facilities to improve the transparency and coordination of services between hospital discharge planning and long-term care facility admission to provide patients and their families with a more coordinated, efficient and patient-friendly process that meets the specific needs of individual patients, including behavioral health needs. The department shall develop and implement a standardized transfer protocol, including improving the support offered to a long-term care facility when a hospital has determined that an individual is ready to be discharged back to the long-term care facility, and consider the following:

1. The hospital discharge planning process and methods to provide at the outset all patients with a summary of patients' rights during the discharge process, including the right to await transition out of hospital care until satisfactory placement can be found at a nursing facility, residential care facility or other long-term care facility or with a home health care provider, based on the patient's medical needs;

2. Methods for providing patients in the hospital discharge planning process with a comprehensive list of patient resources and contact information for guidance and support during the discharge process, including contact information for the long-term care ombudsman program and the Department of Health and Human Services, Bureau of Elder and Adult Services, as well as a copy of the most recent report from the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services on the federal ranking system for nursing facilities providing care for Medicare and Medicaid recipients in those areas where the patient resides or wishes to reside; and

3. A hospital discharge planning process in cases where the patient has behavioral health issues that ensures the involvement or consultation with representatives from the Department of Health and Human Services, Bureau of Elder and Adult Services, and Office of Adult Mental Health Services to improve the coordination, planning and efficiency of the discharge process for the patient.

The department shall report on implementation of the protocol, as well as provide proposed recommendations for changes that would improve the hospital discharge planning process, to the Joint Standing Committee on Health and Human Services by February 1, 2010. The Joint Standing Committee on Health and Human Services is authorized to submit legislation related to the report to the Second Regular Session of the 124th Legislature; and be it further'

Amend the resolve in section 4 in the 2nd line (page 2, line 17 in L.D.) by striking out the following: "psychiatric"

Amend the resolve in section 4 in the 3rd line (page 2, line 18 in L.D.) by striking out the following: "psychiatric"

Amend the resolve in section 5 in the 5th line (page 2, line 27 in L.D.) by striking out the following: "geropsychiatric"

Amend the resolve in section 5 in the last line (page 2, line 29 in L.D.) by striking out the following: "2010." and inserting the following: '2010; and be it further'

Amend the resolve by inserting after section 5 the following:

'Sec. 6 Coordination. Resolved: That the department shall conduct the work required by this resolve within existing resources and to the extent possible shall coordinate it with similar work addressing similar issues for any other population group. The department shall facilitate the exchange of information and communication among workgroups with the goal of maximizing department workload and fiscal efficiencies as well as the impact and effectiveness of approaches or solutions proposed or developed within the work process. A description of coordination efforts must be included in any report required by this resolve.'

SUMMARY

This amendment changes the resolve by clarifying language, removing certain terms and adding reporting requirements for the Department of Health and Human Services. It specifies the groups to be included in the department's work on the standardized transfer protocol and improved discharge planning. It also requires this work to include a review of specific discharge planning processes and methods, patients' rights and resources and contact information and provides specific guidance on areas of review related to patient behavioral health issues. It authorizes the Joint Standing Committee on Health and Human Services to submit legislation related to the standardized transfer protocol and improved discharge planning to the Second Regular Session of the 124th Legislature. It requires the department to conduct the work within existing resources and to coordinate it with similar work addressing similar issues.

FISCAL NOTE REQUIRED

(See attached)