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Resolve, To Increase Transparency in the Long-term Care Planning and Delivery Process To Ensure Maine's Elderly Can Make Informed Choices

Sec. 1 The Department of Health and Human Services directed to clarify the transition process for nursing facility patients awaiting transition into residential care. Resolved: That, no later than October 1, 2009, the Department of Health and Human Services shall amend its rules for the MaineCare program to provide that a patient that is a resident of a nursing facility who is admitted to a hospital for treatment and subsequently discharged within 30 days, who was either identified at the nursing facility as a resident waiting to be transitioned into a residential care facility or identified during the hospital discharge process as a patient that should be transitioned into a residential care facility, must have the ability to be accepted back as a resident at that same nursing facility where the patient was a resident until the patient can be transitioned into the appropriate residential care facility. The Commissioner of Health and Human Services shall report to the Joint Standing Committee on Health and Human Services on the work done pursuant to this section 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

Sec. 2 The Department of Health and Human Services directed to improve discharge planning process. Resolved: That, no later than October 1, 2009, the Department of Health and Human Services shall amend its rules for licensure of general and specialty hospitals relating to the hospital discharge planning process pursuant to this section:

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

2. The hospital discharge planning process must also provide patients 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 and the Bureau of Elder and Adult Services, as well as a copy of the most recent report from the federal 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. In cases where the patient has behavioral health issues, the hospital discharge planning process must also involve representatives from the Bureau of Elder and Adult Services and the Office of Adult Mental Health Services to improve the coordination, planning and efficiency of the discharge process for the patient.

The Commissioner of Health and Human Services shall report to the Joint Standing Committee on Health and Human Services on the work done pursuant to this section 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

Sec. 3 Working group to improve transparency and coordination of services in the discharge planning process. Resolved: That the Department of Health and Human Services, Bureau of Elder and Adult Services shall convene a working group with representatives of the Long-term Care Ombudsman, hospitals, nursing facilities and residential care facilities to find ways to improve the transparency and coordination of services in the hospital and long-term care facility discharge planning process, with the goal of providing 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 provide the Joint Standing Committee on Health and Human Services with a brief summary of its work, along with any proposed recommendations for changes that would improve the discharge planning process 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.

SUMMARY

This resolve directs the Department of Health and Human Services to amend the rules relating to the transition process for nursing facility patients admitted to hospitals awaiting transition into residential care and improving the hospital discharge planning process. The resolve also directs the Department of Health and Human Services, Bureau of Elder and Adult Services to convene a working group with representatives of the Long-term Care Ombudsman, hospitals, nursing facilities and residential care facilities to find ways to improve the transparency and coordination of services in the hospital and long-term care facility discharge planning process, with the goal of providing 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. It also authorizes the Joint Standing Committee on Health and Human Services to submit legislation to the Second Regular Session of the 124th Legislature.