

## **Federal (42 CFR Part 482) and Nevada (NAC 449.332) Patient Discharge Regulations By Policy Area**

### **Policy**

#### §482.43 Condition of Participation: Discharge Planning

The hospital must have in effect a discharge planning process that applies to all patients. The hospital's policies and procedures must be specified in writing.

#### NAC 449.332

1. A hospital shall:
  - (a) Have a process for discharge planning that applies to all inpatients; and
  - (b) Develop and carry out policies and procedures regarding the process for discharge planning.

### **Early identification**

#### §482.43(a) Standard: Identification of Patients in Need of Discharge Planning

The hospital must identify at an early stage of hospitalization all patients who are likely to suffer adverse health consequences upon discharge if there is no adequate discharge planning.

#### NAC 449.332

3. A hospital shall, at the earliest possible stage of hospitalization, identify each patient who is likely to suffer adverse health consequences upon discharge if the patient does not receive adequate discharge planning. The hospital shall provide for an evaluation of the needs related to discharge planning of each patient so identified.

### **Evaluation**

#### §482.43(b) Standard: Discharge Planning Evaluation

The hospital must provide a discharge planning evaluation to the patients identified in paragraph (a) of this section, and to other patients upon the patient's request, the request of a person acting on the patient's behalf, or the request of the physician.

§482.43(b)(2) - A registered nurse, social worker, or other appropriately qualified personnel must develop, or supervise the development of, the evaluation.

#### NAC 449.332

4. An evaluation of the needs of a patient relating to discharge planning must include, without limitation, consideration of:

- (a) The needs of the patient for postoperative services and the availability of those services;
- (b) The capacity of the patient for self-care; and
- (c) The possibility of returning the patient to a previous care setting or making another appropriate placement of the patient after discharge.

5. If the evaluation of a patient relating to discharge planning indicates a need for a discharge plan, a discharge plan must be developed under the supervision of a registered nurse, social worker or other person qualified to perform discharge planning.

6. An evaluation of a patient relating to discharge planning and a discharge plan for the patient may be requested by the patient, a physician, a member of the family of the patient or the guardian of the patient, if any.

### **Timeliness**

§482.43(b)(5) - The hospital personnel must complete the evaluation on a timely basis so that appropriate arrangements for post-hospital care are made before discharge, and to avoid unnecessary delays in discharge.

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8. Activities related to discharge planning must be conducted in a manner that does not contribute to delays in the discharge of the patient.

**Documentation and Patient Communication**

§482.43(b)(6) - The hospital ... must discuss the results of the evaluation with the patient or individual acting on his or her behalf.

NAC 449.332

9. The evaluation of the needs of a patient relating to discharge planning and the discharge plan for the patient, if any, must be documented in his or her medical record.

10. The discharge plan must be discussed with the patient or the person acting on behalf of the patient.

**Appropriate Personnel**

§482.43(c) Standard: Discharge Plan

(1) - A registered nurse, social worker, or other appropriately qualified personnel must develop, or supervise the development of, a discharge plan if the discharge planning evaluation indicates a need for a discharge plan.

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2. The process for discharge planning must include the participation of registered nurses, social workers or other personnel qualified, through education or experience, to perform discharge planning.

**Physician may request a plan**

§482.43(c)(2) In the absence of a finding by the hospital that a patient needs a discharge plan, the patient's physician may request a discharge plan. In such a case, the hospital must develop a discharge plan for the patient.

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7. If a hospital finds that a patient does not need a discharge plan, the attending physician may still request a discharge plan for the patient. If the attending physician makes such a request, the physician shall collaborate as much as necessary with the hospital staff in the development of the discharge plan.

**Implementation**

§482.43(c)(3) - The hospital must arrange for the initial implementation of the patient's discharge plan....

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11. The patient, members of the family of the patient and any other person involved in caring for the patient must be provided with such information as is necessary to prepare them for the post-hospital care of the patient.

13. A hospital shall arrange for the initial implementation of the discharge plans of its patients.

**Reassessment**

§482.43(c)(4) - The hospital must reassess the patient's discharge plan if there are factors that may affect continuing care needs or the appropriateness of the discharge plan.

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12. If, during the course of a patient's hospitalization, factors arise that may affect the needs of the patient relating to his or her continuing care or current discharge plan, the needs of the patient must be reassessed and the plan, if any, must be adjusted accordingly.

**Resources**

§482.43(c)(6) - The hospital must include in the discharge plan a list of HHAs or SNFs that are available to the patient, that are participating in the Medicare program, and that serve the geographic area (as defined by the HHA) in which the patient resides, or in the case of a SNF, in the geographic area requested by the patient. HHAs must request to be listed by the hospital as available.

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**Transfer**

§482.43(d) Standard: Transfer or Referral

The hospital must transfer or refer patients, along with necessary medical information, to appropriate facilities, agencies, or outpatient services, as needed, for follow-up or ancillary care.

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14. If identified in a discharge plan, referral of a patient to outpatient services or transfer of the patient to another facility must be accomplished in a manner that meets the identified needs of the patient, including the sharing of necessary medical information about the patient with the receiving service or facility.

**Ongoing assessment**

§483.43(e) Standard: Reassessment

The hospital must reassess its discharge planning process on an on-going basis. The reassessment must include a review of discharge plans to ensure that they are responsive to discharge needs.

**CMS Proposed Rule Change**

CMS posted a proposed rule change **§ 482.43(b)** to discharge planning on November 3, 2015. This rule change requires discharge planning to be more person centered and provides requirements for patients being discharged from certain categories of outpatient units, including, but not limited to patients receiving observation services and emergency department patients who have been identified by a practitioner as needing a discharge plan.