318 ADMISSION, TRANSFER, AND DISCHARGE POLICIES

318.6 As changes occur in their physical or mental condition necessitating service or care which cannot be adequately provided by the facility, residents shall be transferred promptly to facilities which can provide appropriate care.

318.7 Except in the case of an emergency or voluntarily discharge, the resident, responsible party, attending physician, and the responsible agency, if any, are consulted in advance of the transfer or discharge of any resident. The resident and/or responsible party will be provided written notification of his/her transfer, ten days prior to the transfer.

901 GENERAL ADMINISTRATION [ALZHEIMER’S SPECIAL CARE UNIT]

904 ADMISSIONS, DISCHARGES, TRANSFERS [ALZHEIMER’S SPECIAL CARE UNIT]

a. Criteria for Services

1. Each Alzheimer’s Special Care Unit shall have written policies setting forth pre-admission screening, admission, and discharge procedures.

3. ... Discharge from the ASCU shall occur when:

A. The resident’s medical condition exceeds the level of care for which the facility is licensed or is able to provide;

B. The resident’s medical condition requires specialized nursing procedures that constitute more than limited nursing services, or nursing services the facility is unable to provide;

C. The resident has a loss of functional abilities (e.g. ambulation) that results in the resident’s level of care requirements being greater
than the level of care for which the facility is licensed or able to provide;

D. Behavioral symptoms that result in the resident's level of care requirements being
greater than the level of care for which the facility is licensed or able to provide; or

E. The resident requires a level of involvement in therapeutic programming that is greater
than the level of care for which the facility is licensed or able to provide.

4. If the resident, or the resident's responsible party, does not comply with, or refuses to
accept, the requirements of the ISP, the resident shall be discharged from the ASCU. The
facility shall document the refusal or non-compliance with the ISP. The documentation
shall include, but not be limited to:

A. The identity of the person who is not willing or able to comply with the requirements of
the ISP; i.e., the resident or the resident's responsible party;

B. The date and time of the refusal; and,

C. The consequences of the unwillingness or inability to comply with the requirements of
the ISP, and the name of the person providing this information to the resident or the
resident's responsible party.

b. Resident Movement, Transfer or Discharge

When a resident is moved from or within the ASCU, or is transferred or discharged from
the ASCU, measures shall be taken by the facility to minimize confusion and stress to the
resident. Further, the discharge shall comply with the regulations applicable to the facility
housing the ASCU and Arkansas law.

RESIDENTS' RIGHTS

3013 A resident may be transferred or discharged only for:

a. Medical reasons;

b. His welfare or the welfare of other residents;

c. The resident presents a danger to the safety or health of other residents;

d. Because the resident no longer needs the services provided by the facility;

e. Non-payment for his stay; or,

f. The facility ceases operation.
The resident shall be given reasonable written notice to ensure orderly transfer or discharge.

3014 The term "transfer" applies to the movement of the resident from facility to another facility.

3015 "Medical reasons" for transfer or discharge shall be based on the resident's needs and are to be determined and documented by a physician. That documentation shall become a part of the resident's permanent medical record.

3016 "Reasonable notice of transfer or discharge" means the decision to transfer or discharge a resident shall be discussed with the resident and the resident will be told the reason(s) and alternatives available. A minimum of thirty (30) days written notice must be given.

Transfer for the welfare of the resident or other residents may be affected immediately if such action is documented in the medical record.

3017 An appeals process for residents objecting to transfer or discharge shall be developed by the facility, in accordance with Ark. Code Ann. § 20-10-1005 as amended. The process shall include:

a. The written notice of transfer or discharge shall state the reason for the proposed transfer or discharge. The notice shall inform the resident that they have the right to appeal the decision to the Director within seven (7) calendar days. The resident must be assisted by the facility in filing the written objection to transfer or discharge.

b. Within fourteen (14) days of the filing of the written objections a hearing will be scheduled.

c. A final determination in the matter will be rendered within seven (7) days of the hearing.

3018 The facility shall provide preparation and orientation to resident designed to ensure a safe and orderly transfer or discharge.
SYNOPSIS OF RESIDENTS’ BILL OF RIGHTS

TRANSFER, DISCHARGE, AND CHANGE OF ACCOMMODATION

EVERY RESIDENT HAS THE RIGHT TO KNOW:

- You will be transferred or discharged only for: medical reasons, for your welfare or that of others, you no longer need the services, the facility ceases operations, or for non-payment.

- Except in emergency the facility must give you a thirty (30) day written notice of transfer or discharge. You shall be given reasonable notice of change of room or roommate within the facility.

- Transfer and discharge shall be discussed with you and you shall be told the reason and alternatives that are available.

- There is an appeals process for residents objecting to transfer or discharge.

- You shall be provided preparation and orientation to ensure a safe and orderly transfer or discharge.

- You shall be given reasonable notice of change of room or roommate change in the facility.