

Approved May 27, 1980.

CHAPTER 845

(House Bill 137)

AN ACT concerning

Medical Assistance Program (Medicaid) -
Patient Transfer

FOR the purpose of restricting the discharge or transfer of certain Medicaid patients from certain skilled nursing facilities or intermediate care facilities; providing for certain presumptions upon proposed discharges or transfers of patients; requiring a certain report; and generally relating to the transfer or discharge of Medicaid patients from certain nursing care facilities.

BY repealing and reenacting, with amendments,

Article 43 - Health
Section 565C(a)(18)
Annotated Code of Maryland
(1971 Replacement Volume and 1979 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 43 - Health

565C.

(a) It is the intent of the General Assembly and the purpose of this section to promote the interests and well-being of the patients and residents of skilled nursing facilities and intermediate care facilities. It is declared to be the public policy of this State that the interests of the patient be protected by a declaration of a patient's bill of rights and by requiring that the facilities treat their patients in accordance with the provisions of this bill of rights, which shall include, but not be limited to, the following:

~~(18) -- A -- patient -- or -- resident -- may -- not -- be transferred -- or -- discharged -- from -- a -- skilled -- nursing -- facility -- or -- intermediate -- care -- facility -- except -- for -- medical -- reasons, -- the -- patient's -- own -- or -- other -- patient's -- welfare, -- or -- nonpayment -- for -- the -- stay. PAYMENT -- AS -- A -- MEDICAL -- ASSISTANCE -- RECIPIENT -- MAY -- NOT -- CONSTITUTE -- NONPAYMENT -- FOR -- PURPOSES -- OF -- THIS -- SECTION. -- A -- FACILITY -- PROPOSING -- TO -- DISCHARGE -- OR -- TRANSFER -- A -- PATIENT -- OR~~