

Introduced by

Senators Poolman, Dever, Hogan

Representatives Beadle, Dobervich, Meier

1 A BILL for an Act to create and enact chapter 23-49 of the North Dakota Century Code, relating
2 to hospital discharge policies.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** Chapter 23-49 of the North Dakota Century Code is created and enacted as
5 follows:

6 **23-49-01. Definitions.**

7 As used in this chapter:

- 8 1. "Discharge" means the exit or release of a patient from inpatient care in a hospital to
9 the residence of the patient.
- 10 2. "Informal caregiver" means an individual at least eighteen years of age who a patient,
11 or the patient's legal representative, designates at admission as a lay caregiver, and
12 who following the discharge of the patient is willing and able to perform posthospital
13 care for the patient at the patient's residence.
- 14 3. "Posthospital care" means care directly related to a patient's condition at the time of
15 discharge and which is provided by an informal caregiver to the patient in the patient's
16 residence.
- 17 4. "Residence" means the dwelling a patient considers to be the patient's home. The
18 term does not include a hospital or rehabilitation facility.

19 **23-49-02. Patient and caregiver discharge planning, involvement, and documentation.**

- 20 1. A hospital shall adopt and maintain a written discharge planning process, including
21 policies and procedures, which applies to all patients.
- 22 2. At an early stage of hospitalization, a hospital shall identify patients who are likely to
23 suffer adverse health consequences if discharged without adequate discharge
24 planning. A hospital shall involve a patient throughout the discharge planning process.

- 1 As appropriate, a hospital shall involve the patient's informal caregiver or legal
2 representative in the discharge planning process. A hospital shall:
3 a. Document the patient's discharge plan in the patient's medical record.
4 b. As appropriate, communicate the plan to the patient, the patient's informal
5 caregiver, or the patient's representative.
6 c. Document the arrangements made for initial implementation of the patient's
7 discharge plan in the patient's medical record, including any training or materials
8 provided to the patient, the patient's informal caregiver, or the patient's
9 representative.

10 **23-49-03. Posthospital care training.**

- 11 1. As appropriate, a hospital shall educate or train a patient, the patient's informal
12 caregiver, or the patient's representative to prepare the patient for posthospital care.
13 2. The education or training provided by hospital staff to a patient, the patient's informal
14 caregiver, or the patient's representative must be tailored to the patient's identified
15 needs, including medications, treatment modalities, physical and occupational
16 therapies, psychosocial needs, appointments, or other posthospital care.
17 3. Education and training provided by a hospital may include repeated review of the
18 training and materials with a patient, the patient's informal caregiver, or the patient's
19 representative.