

BY adding to

Article - Health - General

Section 19-308.8

Annotated Code of Maryland

(2000 Replacement Volume and 2004 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article - Health - General**

19-308.8.

~~(A) A HOSPITAL OR RELATED INSTITUTION MAY NOT DISCHARGE A PATIENT WHO IS UNABLE TO PERFORM OR WHO NEEDS ASSISTANCE IN PERFORMING ACTIVITIES OF DAILY LIVING TO:~~

~~(1) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN ASSISTED LIVING PROGRAM LICENSED UNDER § 19-1801 OF THIS ARTICLE THAT SERVES 4 OR FEWER INDIVIDUALS; OR~~

~~(2) A FACILITY OR PROGRAM THAT IS NOT LICENSED OR OTHERWISE AUTHORIZED UNDER THIS ARTICLE TO PROVIDE HOUSING AND SUPPORTIVE SERVICES, SUPERVISION, PERSONALIZED ASSISTANCE, HEALTH-RELATED SERVICES, OR A COMBINATION OF SERVICES TO INDIVIDUALS WHO ARE UNABLE TO PERFORM OR WHO NEED ASSISTANCE IN PERFORMING ACTIVITIES OF DAILY LIVING.~~

~~(B) A HOSPITAL OR RELATED INSTITUTION MAY DISCHARGE A PATIENT WHO IS UNABLE TO PERFORM OR WHO NEEDS ASSISTANCE IN PERFORMING ACTIVITIES OF DAILY LIVING TO AN ASSISTED LIVING FACILITY LICENSED UNDER § 19-1801 OF THIS ARTICLE THAT SERVES 4 OR FEWER INDIVIDUALS AND HAS BEEN DESIGNATED BY THE DEPARTMENT TO RECEIVE REFERRALS UNDER THIS SECTION.~~

(A) A HOSPITAL MAY DISCHARGE A PATIENT:

(1) ENTIRELY;

(2) TO ANOTHER LEVEL OF CARE, TREATMENT, OR SERVICES;

(3) TO DIFFERENT HEALTH PROFESSIONALS; OR

(4) TO SETTINGS FOR CONTINUED SERVICES.

(B) A HOSPITAL'S PROCESS FOR TRANSFER OR DISCHARGE SHALL BE BASED ON A PATIENT'S ASSESSED NEEDS.

(C) TO FACILITATE DISCHARGE OR TRANSFER, THE HOSPITAL SHALL:

(1) ASSESS A PATIENT'S NEEDS;

(2) PLAN FOR DISCHARGE OR TRANSFER;

(3) FACILITATE THE DISCHARGE OR TRANSFER PROCESS;