

(2) A WRITTEN STATEMENT ITEMIZING THE MEDICATIONS CURRENTLY BEING TAKEN BY THE RESIDENT;

(3) TO THE EXTENT PERMITTED UNDER STATE AND FEDERAL LAW, AT LEAST A 3-DAY SUPPLY OF THE MEDICATIONS CURRENTLY BEING TAKEN BY THE RESIDENT;

(4) THE INFORMATION NECESSARY TO ASSIST THE RESIDENT, THE RESIDENT'S NEXT OF KIN, OR LEGAL REPRESENTATIVE IN OBTAINING ADDITIONAL PRESCRIPTIONS FOR NECESSARY MEDICATION THROUGH CONSULTATION WITH THE RESIDENT'S TREATING PHYSICIAN; AND

(5) A WRITTEN STATEMENT CONTAINING THE DATE, TIME, METHOD, MODE, AND DESTINATION OF DISCHARGE.

(C) (1) EXCEPT AS PROVIDED IN ~~PARAGRAPH (2)~~ PARAGRAPHS (2) AND (3) OF THIS SECTION, A FACILITY MAY NOT DISCHARGE OR TRANSFER A RESIDENT UNLESS THE RESIDENT IS CAPABLE OF AND HAS CONSENTED IN WRITING TO THE DISCHARGE OR TRANSFER.

(2) A FACILITY MAY DISCHARGE OR TRANSFER A RESIDENT WITHOUT OBTAINING THE WRITTEN CONSENT OF THE RESIDENT IF THE DISCHARGE OR TRANSFER:

(I) IS IN ACCORDANCE WITH A POST DISCHARGE PLAN OF CARE DEVELOPED UNDER SUBSECTION (A) OF THIS SECTION; AND

(II) IS TO A SAFE AND SECURE ENVIRONMENT WHERE THE RESIDENT WILL BE UNDER THE CARE OF:

1. ANOTHER LICENSED, CERTIFIED, OR REGISTERED CARE PROVIDER; OR

2. ANOTHER PERSON WHO HAS AGREED IN WRITING TO PROVIDE A SAFE AND SECURE ENVIRONMENT.

~~(3) A FACILITY MAY TRANSFER A RESIDENT WITHOUT OBTAINING THE WRITTEN CONSENT OF THE RESIDENT IF THE TRANSFER IS FROM A NURSING FACILITY IN A CONTINUING CARE RETIREMENT COMMUNITY TO A DIFFERENT LEVEL OF CARE WITHIN THE SAME FACILITY AND IS APPROVED BY THE ATTENDING PHYSICIAN.~~

(3) A FACILITY THAT IS CERTIFIED AS A CONTINUING CARE PROVIDER UNDER ARTICLE 70B OF THE CODE IS NOT SUBJECT TO THE PROVISIONS OF SUBSECTION (B) OF THIS SECTION IF:

(I) THE FACILITY TRANSFERS A RESIDENT TO A LESSER LEVEL OF CARE WITHIN THE SAME FACILITY IN ACCORDANCE WITH A CONTRACTUAL AGREEMENT BETWEEN THE FACILITY AND THE RESIDENT; AND

(II) THE TRANSFER IS APPROVED BY THE ATTENDING PHYSICIAN.