

(4) (I) A COMPREHENSIVE MEDICAL ASSESSMENT AND EVALUATION OF THE RESIDENT, INCLUDING A PHYSICAL EXAMINATION, THAT IS DOCUMENTED IN THE RESIDENT'S MEDICAL RECORD;

(2) (II) A POST DISCHARGE PLAN OF CARE FOR THE RESIDENT THAT IS DEVELOPED, IF POSSIBLE, WITH THE PARTICIPATION OF THE RESIDENT'S NEXT OF KIN, GUARDIAN, OR LEGAL REPRESENTATIVE; AND

(3) (III) WRITTEN DOCUMENTATION FROM THE RESIDENT'S ATTENDING PHYSICIAN INDICATING THAT THE TRANSFER OR DISCHARGE IS IN ACCORDANCE WITH THE POST DISCHARGE PLAN OF CARE AND IS NOT CONTRAINDICATED BY THE RESIDENT'S MEDICAL CONDITION; AND

(2) PROVIDED INFORMATION TO THE RESIDENT CONCERNING THE RESIDENT'S RIGHTS TO MAKE DECISIONS CONCERNING HEALTH CARE, INCLUDING:

(I) THE RIGHT TO ACCEPT OR REFUSE MEDICAL TREATMENT;

(II) THE RIGHT TO MAKE AN ADVANCE DIRECTIVE, INCLUDING THE RIGHT TO MAKE A LIVING WILL AND THE RIGHT TO APPOINT AN AGENT TO MAKE HEALTH CARE DECISIONS; AND

(III) THE RIGHT TO REVOKE AN ADVANCE DIRECTIVE.

(B) EXCEPT AS PROVIDED IN SUBSECTION (C)(3) OF THIS SECTION, AT THE TIME OF TRANSFER OR DISCHARGE, THE FACILITY SHALL PROVIDE THE RESIDENT OR THE RESIDENT'S NEXT OF KIN, GUARDIAN, OR LEGAL REPRESENTATIVE WITH:

(1) A WRITTEN STATEMENT OF THE MEDICAL ASSESSMENT AND EVALUATION AND POST DISCHARGE PLAN OF CARE REQUIRED UNDER SUBSECTION (A) OF THIS SECTION;

(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 SUBSECTION, 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.