Required Notices for SNF Transfer & Discharge (Michigan) Resident-Initiated Resident-Initiated Transfer to an Resident-Initiated **Facility-Initiated** Discharge to Home or Discharge Against **Acute Care Facility** Therapeutic Leave¹ Discharge³ Other Location **Medical Advice** (Hospital)2 **Notice Required:** Notice Required: · Bed Hold Notice · Transfer Notice with State Request for Hearing To representative and (ITD-505 form) No notice To resident and representative at time of transfer resident at time of leave required or as soon as practicable Email copy to Ombudsman within 30 days · Bed Hold Notice • To resident and representative at time of transfer, Definitions: or, in cases of emergency, within 24 hours **Transfer:** The movement of a resident from a bed in one certified facility to a bed in another certified facility when the resident expects to return to the original facility (e.g., hospitalization). **<u>Discharge</u>**: The movement of a resident from a bed in one certified facility to a bed in another certified facility or other location in the community, when return to the original Resident NF facility is not expected (e.g., discharge to home or another NF). **Facility-initiated transfer or discharge:** A transfer or discharge to which the returns to elects not facility or requests to readmit resident objects, did not originate through a resident's verbal or written request, and/or to be discharged to resident from is not in alignment with the resident's stated goals for care and preferences. other location or home State involuntary transfer/discharge (Michigan-specific definition):4 When the hospital facility initiates a transfer or discharge from the facility, regardless of destination. This includes a transfer or discharge to another distinct unit within the facility. **Resident-initiated transfer or discharge:** When the resident or, if appropriate, the resident representative, has provided verbal or written notice of intent to leave the facility (Note: Does not include the general expression of a desire to return home or Discharge Notice Required: the elopement of residents with cognitive impairment).

Notes:

- 1. This is not considered a transfer, unless the resident is going to a certified facility.
- 2. Nearly all hospital transfers, even if planned, will be considered "facility-initiated."
- The term "involuntary" is no longer applicable to Federal regulations. If the facility initiates or recommends discharge due to change in care needs, it is considered a facility-initiated discharge, even if the resident/family does not object.
- Such a transfer or discharge follows procedures for a Facility-Initiated Discharge.

- State Notice (ITD-502 form) and State Request for Hearing (ITD-505 form), along with envelope and postage, to resident or representative via certified mail
- Fax or Email copy of Notice to Ombudsman, LARA, and resident's represetnative at time it is issued
- Timing
 - Less than 30 days' notice may be given if an emergency exists or urgent medical need
 - 30 days' notice in all other instances and must readmit pending discharge



Please note that this chart is intended to be informational only, and is not intended to be nor should it be relied upon as legal advice. Rolf Goffman Martin Lang LLP will not be responsible for any actions taken or arrangements structured based upon this chart. The receipt of this chart by an organization that is not a current client of Rolf Goffman Martin Lang LLP does not create an attorney-client relationship between the recipient and the law firm.

No notice

required