



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene

Office of Health Care Quality

Spring Grove Hospital Center • Bland Bryant Building

55 Wade Avenue • Baltimore, Maryland 21228-4663

Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – John M. Colmers, Secretary

TRANSMITTAL/ADVISORY

TO: Maryland Hospitals – Chief Executive Officers
Maryland Adult Medical Day Care Centers
Maryland Assisted Living Facilities
Maryland Nursing Home Administrators

FROM: Nancy B. Grimm, Director *NBG*
Office of Health Care Quality

SUBJECT: Discharge and Transfer Planning/Placement Agencies

DATE: January 5, 2011

The Office of Health Care Quality (OHCQ) has identified a continuing concern regarding the placement of vulnerable adults in need of assisted living services into unlicensed and unsafe facilities. At times, Maryland hospitals, and on rare occasions, nursing home providers have discharged patients to such sites. These facilities are often not prepared to meet the medical and, in some cases, the mental health needs of the individual.

The primary purpose of this transmittal is to remind Maryland hospitals' leadership and staff that, under State law, it is the hospital's responsibility to assess a patient's discharge needs, plan for discharge or transfer, facilitate the discharge process, provide written discharge instructions, and to help maintain the patient's continuity of quality care, treatment, and services. (Md. Code Ann Health-Gen Art. §19-308.8) Therefore, the OHCQ finds it imperative that discharge/transfer planners verify the licensure status of any assisted living or group home prior to placing the individual should the consumer require any of these services. A list of licensed facilities may be accessed on the OHCQ web site (<http://www.dhmh.md.gov/ohcq>). Please note that a hospital who fails to comply with Maryland law governing discharge may be subject to a civil money penalty.

The OHCQ also recognizes that hospitals and other providers may use "placement agencies" to assist them in identifying alternatives for individuals who cannot return to their home or may be homeless. Placement agencies are not required to be licensed and are not regulated. The OHCQ knows of instances where placement agencies have solicited services for providers that are not licensed. Hospitals, while having the duty to provide for appropriate discharge and transfer planning, may be told by these agencies that the facilities they represent are licensed when they are not. Furthermore, the OHCQ is aware of group home providers who have presented hospitals with false or altered assisted living licenses. The above listed website should be used to verify license information.

Adult medical day care center and nursing home staff may also become aware of participants who go home or are discharged to unlicensed facilities. A resident who is independent and does not require assistance with activities of daily living does not need to live in a licensed home. However, most people who require adult day care services or who are discharged from a nursing home to a lesser level of care, such as an assisted living facility, may be placed at risk. Therefore, it is important that adult day care and nursing home providers inform OHCQ when they become aware of unlicensed sites serving individuals who require assisted living services.

You may file a complaint regarding any provider through the OHCQ website, or by calling 410-402-8200. If you have any questions as to placement agencies or a provider, please do not hesitate to contact William Dorrill, Deputy Director for Community Programs, at 410-402-8047, Margie Heald, Deputy Director for Federal Programs, at 410-402-8101, or Renee Webster, Director for Hospitals, HMOs, Laboratories, and Patient Safety, at 410-402-8090.

Your attention to this important matter is greatly appreciated. The OHCQ is grateful for the significant work that you perform each day to ensure patients receive quality and safe health care.

NH, AL, AD, HO – 01-05-11 Transmittal (1)

cc: DHR/Adult Protective Services
Ombudsman Program
Maryland Hospital Association
Alzheimer's Association
Maryland Association of Adult Day Services
Lifespan
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