



## Office of the State Long-Term Care Ombudsman

### ***How to Avoid Involuntary Discharge of Nursing Home Residents***

#### ***Nursing homes can avoid the involuntary discharge of consumers by...***

- ensuring that a thorough assessment is done for each consumer prior to admission
- ensuring that necessary and appropriate structures and services are available to meet anticipated needs before the resident arrives
- finding a compatible roommate prior to admitting a new resident
- working directly with the resident and family to do a thorough assessment and appropriate care plan that identifies and respects individual needs and preferences while respecting residents' rights
- training all staff to be flexible in meeting needs of all residents, especially those that are new to the facility
- checking with consumers and their sponsors and offering to review admission materials again including, but not limited to, financial information
- providing as much assistance as possible to consumers and sponsors newly navigating the complex long-term care system
- approaching every problem as an opportunity to improve, being flexible and willing to try new methods
- consulting with the Long-Term Care Ombudsman Program to help resolve problems before discharge is considered

#### ***Nursing homes must...***

- provide appropriate discharge planning
- provide adequate preparation prior to discharge to ensure a safe and orderly transfer
- have the location proposed for discharge to have accepted the consumer prior to discharge
- help residents to achieve their highest functional ability

## **Consumers have the right...**

- to receive notice of discharge, even in emergencies
- to receive written notice at least 30 days in advance of involuntary discharge that is compliant with Ohio Revised Code and Ohio Administrative Code
- to voice grievances or complaints
- to challenge any discharge by requesting an impartial hearing and may stay in the facility pending the outcome if the hearing is requested within 10 days

## **The Long-Term Care Ombudsman Program Can Help**

As mandated by the Older Americans Act and Ohio law, the mission of the Long-Term Care Ombudsman Program is to seek resolution of problems and advocate for the rights of home care consumers and residents of long-term care facilities with the goal of enhancing the quality of life and care of consumers.

## **The Ombudsman can...**

- consult with nursing home staff to help resolve issues and avoid unnecessary discharge
- work with the consumer, family, and facility to develop an appropriate care plan to meet the individual needs and preferences of the consumer

## **If a consumer is ready & wishes to leave a nursing home...**

- the ombudsman can provide technical assistance to nursing home staff to ensure the facility provides appropriate discharge planning
- the ombudsman can assist the consumer and family in assessing multiple options regarding alternative living arrangements including, but not limited to, home and community-based services
- the ombudsman can help the consumer and family select quality services that meet their individual needs

It is preferred that nursing homes contact the ombudsman program prior to issuing a discharge notice. When notice of involuntary discharge can't be avoided, please send copies of discharge notices to the Regional Ombudsman so the ombudsman can work toward resolution to alleviate the need for a disruptive move for the resident and an administrative hearing.

**Please contact your Regional Ombudsman for more information**

**Long-Term Care Ombudsman Program  
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