



## Office of the State Long-Term Care Ombudsman

### ***Consumer Rights Regarding Involuntary Discharge from an Ohio Nursing Home***

#### ***It is against Ohio law to discharge a consumer from a facility against their will unless...***

- the consumer's health has improved sufficiently to allow a more immediate discharge or transfer to a less skilled level of care;
- the consumer has resided in the home fewer than thirty days;
- an emergency arises in which the health or safety of individuals in the home is or would be otherwise endangered; or
- an emergency arises in which the consumer's urgent medical needs require a more immediate transfer or discharge.

#### ***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 must include:
  - reason for discharge
  - date of proposed discharge
  - location where consumer will be discharged
  - consumer's rights to appeal
  - address of the Ohio Department of Health (ODH) legal office
  - name, address, and phone number of the Regional Long-Term Care Ombudsman Program
  - challenge any discharge by requesting an impartial hearing and may stay in the facility pending the outcome if a hearing is requested within 10 days of notice
  - adequate preparation prior to discharge to ensure a safe and orderly transfer
  - have the location proposed for discharge to have accepted the resident prior to discharge

#### ***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.

***If a consumer is ready to leave a nursing home the ombudsman can...***

- ensure the facility provides required discharge planning
- assist the consumer and family in assessing multiple options regarding alternative living arrangements including, but not limited to, home and community-based services
- help the consumer and family select quality services that meet their individual needs
- help the consumer access resources that will enable them to return to the community as soon as feasible

***The Ombudsman can also...***

- advise you and your family on rights and regulations
- negotiate with the provider
- assist in resolving issues that may lead to discharge
- represent the resident at an impartial hearing
- ensure the residents' rights are protected
- assist in care planning to ensure appropriate care and services are provided

This fact sheet provides general information and is not legal advice.  
The regulations are complex and may change.

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

**Long-Term Care Ombudsman Program  
7162 Reading Road, Suite 1150  
Cincinnati, OH 45237  
1-800-488-6070 or 513-345-4160  
Fax 513-621-5613**

or call

**1-800-282-1206**

[www.aging.ohio.gov](http://www.aging.ohio.gov)

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