

A-Engrossed House Bill 2023

Ordered by the House April 21
Including House Amendments dated April 21

Sponsored by Representatives KENY-GUYER, FREDERICK, GALLEGOS; Representatives BUEHLER, GREENLICK, NOSSE, OLSON

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Specifies requirements for hospital [*protocol*] **policies** for discharge planning involving patient who is hospitalized for [*behavioral*] **mental health** [*crisis*] **treatment**.

A BILL FOR AN ACT

1
2 Relating to protocols for a health care facility's discharge of a patient who presented with a be-
3 havioral health crisis.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS 441.015 to**
6 **441.063.**

7 **SECTION 2. (1) As used in this section:**

8 (a) **"Discharge" means the release of a patient from a hospital following admission to the**
9 **hospital.**

10 (b) **"Lay caregiver" means:**

11 (A) **For a patient who is younger than 14 years of age, a parent or legal guardian of the**
12 **patient.**

13 (B) **For a patient who is at least 14 years of age and not older than 17 years of age, an**
14 **individual designated by the patient or a parent or legal guardian of the patient to the extent**
15 **permitted under ORS 109.640 and 109.675.**

16 (C) **For a patient who is 18 years of age or older, an individual designated by the patient.**

17 (2) **A hospital shall adopt and enforce policies for the discharge of a patient who is hos-**
18 **pitalized for mental health treatment. The policies must be publicly available and include, at**
19 **a minimum, all of the following:**

20 (a) **Encouraging the patient to sign an authorization for the disclosure of information**
21 **that is necessary for a lay caregiver to participate in the patient's discharge planning and**
22 **to provide appropriate support to the patient following discharge including, but not limited**
23 **to, discussing the patient's prescribed medications and the circumstances under which the**
24 **patient or lay caregiver should seek immediate medical attention.**

25 (b) **Assessing the patient's risk of suicide, with input from the lay caregiver if appropri-**
26 **ate.**

27 (c) **Assessing the long-term needs of the patient including:**

28 (A) **The patient's need for community-based services;**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

- 1 **(B) The patient’s capacity for self-care; and**
2 **(C) Whether the patient can be properly cared for in the place where the patient was**
3 **residing when the patient presented at the hospital.**
4 **(d) A process to ensure the coordination of the patient’s care and a seamless transition**
5 **from an acute care setting to outpatient treatment that may include community-based pro-**
6 **viders, peer support, the lay caregiver and others who can execute the patient’s care plan**
7 **following discharge.**
8 **(e) Scheduling follow-up appointments for no later than seven days after discharge and**
9 **supporting the patient’s transition from hospital care to community-based care.**

10 **SECTION 3.** **Section 2 of this 2015 Act becomes operative on July 1, 2016.**

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