House Bill 3378

Sponsored by Representative GREENLICK

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 **as introduced**.

Requires hospital to adopt written discharge policies. Specifies requirements for policies.

| 1 | A BILL FOR AN ACT |
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| 2 | Relating to hospital discharge planning with lay caregivers. |
| 3 | Whereas Oregon's health care transformation efforts include improved health care by achieving |
| 4 | the "Triple Aim" objectives of reducing costs, improving health and enhancing patient experience, |
| 5 | including engaging the patient and family caregiver as part of the care team; and |
| 6 | Whereas family and other lay caregivers play an important role in supporting their loved ones |
| 7 | during and after a hospitalization; and |
| 8 | Whereas family caregivers are valued members of the patient centered care team and supporting |
| 9 | family caregivers will further promote high quality care; and |
| 10 | Whereas best practices for admission, discharge planning and time of discharge recognize the |
| 11 | unique needs of each patient and each patient's support group; and |
| 12 | Whereas about half of all family and other lay caregivers perform medical or nursing tasks such |
| 13 | as wound care, complex medication management and injections for their loved ones; and |
| 14 | Whereas most family and other lay caregivers receive little or no training for these complex |
| 15 | tasks; and |
| 16 | Whereas most patients do not receive a home visit by a health care professional after discharge |
| 17 | from a hospital; and |
| 18 | Whereas hospitals are continuously striving to improve patient care and outcomes while reduc- |
| 19 | ing unnecessary readmissions; now, therefore, |
| 20 | Be It Enacted by the People of the State of Oregon: |
| 21 | SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS chapter 441. |
| 22 | SECTION 2. (1) As used in this section: |
| 23 | (a) "Aftercare" includes all of the following: |
| 24 | (A) Assistance with activities of daily living or instrumental activities of daily living. |
| 25 | (B) Medical or nursing tasks such as wound care, the administration of medications and |
| 26 | the operation of medical equipment. |
| 27 | (C) Other assistance provided by a caregiver to a patient, following the patient's dis- |
| 28 | charge, that is related to the patient's condition at the time of discharge. |
| 29 | (b) "Discharge" means a patient's release from a hospital following the patient's admis- |
| 30 | sion to the hospital. |
| 31 | (c) "Lay caregiver" means an individual, designated by a patient, who is not a licensed |
| 32 | health professional and who may provide aftercare. |
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(2) A hospital shall adopt and maintain written discharge policies. The policies must en-1 2 sure that: 3 (a) Hospital staff assess the patient's ability for self-care after discharge given the patient's acuity and aftercare needs; 4 (b) The patient is provided an opportunity to designate a lay caregiver; 5 (c) Hospital staff assess the ability of the lay caregiver to provide aftercare and, prior 6 to discharge, provide the lay caregiver with instruction or training as necessary for the lay 7caregiver to provide aftercare; and 8 9 (d) The patient and lay caregiver are given the opportunity to participate in the discharge 10 planning. (3) The discharge policies must specify the requirements for documenting: 11 12(a) The lay caregiver who is designated by the patient; and (b) The details of a discharge plan. 13 (4) The discharge policies may incorporate established evidence-based practices, including 14 15 but not limited to: 16 (a) Standards for accreditation adopted by the Joint Commission or other nationally recognized hospital accreditation organization; or 17 18 (b) The Conditions of Participation for hospitals adopted by the Centers for Medicare and 19 **Medicaid Services.** (5) This section does not require a hospital to adopt discharge policies that would: 20(a) Delay a patient's discharge or transfer to another facility; or 2122(b) Require the disclosure of protected health information without obtaining a patient's consent as required by state and federal laws governing health information privacy and se-23curity. 24

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