

MAINE STATE LEGISLATURE

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Date: 5/28/9

HEALTH AND HUMAN SERVICES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 864, L.D. 1245, "Resolve, To Improve the Continuity of Care for Individuals with Behavioral Issues in Long-term Care"

Amend the resolve in section 1 in the 3rd line (page 1, line 17 in L.D.) by inserting after the following: "shall" the following: 'continue its efforts to'

Amend the resolve in section 1 in the 5th line (page 1, line 19 in L.D.) by inserting after the following: "61." the following: 'The department shall report to the Joint Standing Committee on Health and Human Services by February 1, 2010 on the department's progress.'

Amend the resolve in section 1 in subsection 3 in the first line (page 1, line 25 in L.D.) by striking out the following: "nursing" and inserting the following: 'long-term care'

Amend the resolve in section 1 in subsection 6 in the first line (page 1, line 33 in L.D.) by striking out the following: "nursing facilities" and inserting the following: 'long-term care facility staff'

Amend the resolve in section 2 in the first line (page 2, line 1 in L.D.) by striking out the following: "Case mix reimbursement." and inserting the following: 'Reimbursement.'

Amend the resolve in section 2 in the 2nd line (page 2, line 2 in L.D.) by striking out the following: "case mix"

Amend the resolve by striking out all of section 3 (page 2, lines 8 to 15 in L.D.) and inserting the following:

'Sec. 3. Standardized transfer protocol; improved discharge planning. Resolved: That the department shall work with representatives of the long-term care ombudsman program established pursuant to the Maine Revised Statutes, Title 22, section 5106, subsection 11-C, hospitals, nursing facilities and residential care facilities to improve the transparency and coordination of services between hospital discharge planning and long-term care facility admission to provide patients and their families with

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1 a more coordinated, efficient and patient-friendly process that meets the specific needs of
2 individual patients, including behavioral health needs. The department shall develop and
3 implement a standardized transfer protocol, including improving the support offered to a
4 long-term care facility when a hospital has determined that an individual is ready to be
5 discharged back to the long-term care facility, and consider the following:

6 1. The hospital discharge planning process and methods to provide at the outset all
7 patients with a summary of patients' rights during the discharge process, including the
8 right to await transition out of hospital care until satisfactory placement can be found at a
9 nursing facility, residential care facility or other long-term care facility or with a home
10 health care provider, based on the patient's medical needs;

11 2. Methods for providing patients in the hospital discharge planning process with a
12 comprehensive list of patient resources and contact information for guidance and support
13 during the discharge process, including contact information for the long-term care
14 ombudsman program and the Department of Health and Human Services, Bureau of
15 Elder and Adult Services, as well as a copy of the most recent report from the federal
16 Department of Health and Human Services, Centers for Medicare and Medicaid Services
17 on the federal ranking system for nursing facilities providing care for Medicare and
18 Medicaid recipients in those areas where the patient resides or wishes to reside; and

19 3. A hospital discharge planning process in cases where the patient has behavioral
20 health issues that ensures the involvement or consultation with representatives from the
21 Department of Health and Human Services, Bureau of Elder and Adult Services, and
22 Office of Adult Mental Health Services to improve the coordination, planning and
23 efficiency of the discharge process for the patient.

24 The department shall report on implementation of the protocol, as well as provide
25 proposed recommendations for changes that would improve the hospital discharge
26 planning process, to the Joint Standing Committee on Health and Human Services by
27 February 1, 2010. The Joint Standing Committee on Health and Human Services is
28 authorized to submit legislation related to the report to the Second Regular Session of the
29 124th Legislature; and be it further'

30 Amend the resolve in section 4 in the 2nd line (page 2, line 17 in L.D.) by striking out
31 the following: "psychiatric"

32 Amend the resolve in section 4 in the 3rd line (page 2, line 18 in L.D.) by striking out
33 the following: "psychiatric"

34 Amend the resolve in section 5 in the 5th line (page 2, line 27 in L.D.) by striking out
35 the following: "geropsychiatric"

36 Amend the resolve in section 5 in the last line (page 2, line 29 in L.D.) by striking out
37 the following: "2010." and inserting the following: '2010; and be it further'

38 Amend the resolve by inserting after section 5 the following:

39 **'Sec. 6. Coordination. Resolved:** That the department shall conduct the work
40 required by this resolve within existing resources and to the extent possible shall
41 coordinate it with similar work addressing similar issues for any other population group.
42 The department shall facilitate the exchange of information and communication among
43 workgroups with the goal of maximizing department workload and fiscal efficiencies as

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1 well as the impact and effectiveness of approaches or solutions proposed or developed
2 within the work process. A description of coordination efforts must be included in any
3 report required by this resolve.

4 **SUMMARY**

5 This amendment changes the resolve by clarifying language, removing certain terms
6 and adding reporting requirements for the Department of Health and Human Services. It
7 specifies the groups to be included in the department's work on the standardized transfer
8 protocol and improved discharge planning. It also requires this work to include a review
9 of specific discharge planning processes and methods, patients' rights and resources and
10 contact information and provides specific guidance on areas of review related to patient
11 behavioral health issues. It authorizes the Joint Standing Committee on Health and
12 Human Services to submit legislation related to the standardized transfer protocol and
13 improved discharge planning to the Second Regular Session of the 124th Legislature. It
14 requires the department to conduct the work within existing resources and to coordinate it
15 with similar work addressing similar issues.

16 **FISCAL NOTE REQUIRED**

17 **(See attached)**



Approved: 05/24/09 *MAC*

124th MAINE LEGISLATURE

LD 1245

LR 1403(02)

Resolve, To Improve the Continuity of Care for Individuals with Behavioral Issues in Long-term Care

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

The additional costs to the Department of Health and Human Services to implement the recommendations concerning long-term care services for individuals with behavioral issues can be absorbed utilizing existing budgeted resources.