

COLLABORATION PRACTICE TIPS AND OTHER THINGS TO KNOW

LONG-TERM CARE OMBUDSMAN PROGRAM – SUPERPOWERS IN PRACTICE

1. Can file request for appeal of Transfer and Discharge Notice for resident which can preserve right to stay in facility pending decision.
2. Can file a complaint with AHCA about the condition of the facility.
3. Can file a complaint with AHCA in case of a proposed unsafe discharge (discharge to an unsafe location).
4. Can enlist the assistance of the Legal Advocate, especially in exigent circumstances.

COMMUNICATING WITH THE OFFICE OF ADMINISTRATIVE HEARINGS

1. Call to determine hearing details including case number, date and time of hearing, etc.
2. BE SURE TO SPECIFY “NURSING HOME DISCHARGE” WHEN ASKING FOR INFO.

CARES ASSESSMENTS RE: NEED FOR SKILLED NURSING LEVEL OF CARE

1. A CARES Assessment is not a part of the resident’s nursing home medical record.
2. A CARES Assessment is appealable in its own right.
3. A CARES Assessment is not a substitute for a Notice of Transfer and Discharge.

NOTICE OF MEDICARE NON-COVERAGE (NOMNC)

1. This is not a part of the resident’s nursing home medical record.
2. A NOMNC is appealable in its own right.
3. A NOMNC is not a substitute for a Notice of Transfer and Discharge.

STANDARD TRANSFER AND DISCHARGE NOTICE DOES NOT CONTAIN INFO REQUIRED BY STATE AND FEDERAL LAW!

1. Residents diagnosed with a mental illness must receive contact info for Disability Rights Florida on the Notice of T&D.
2. You can argue: The fact that “the box” is missing from the standard form does not relieve the facility of the statutory obligation to convey this information for a legally sufficient notice.