

Client Alert: California Enacts New Hospital Discharge Process Requirements for Homeless Patients

Prompted by sensational headlines regarding sick and disoriented homeless patients dumped onto “skid row,” California recently put into place specific requirements for hospital discharge of homeless patients. The law, which Governor Brown signed on September 30, amends the licensing provisions at Health & Safety Code section 1262.5. The new requirements roll out in two parts and require hospitals to adopt certain discharge planning procedures and activities.

Phase 1: Discharge Planning and Heightened Discharge-Planning Services

Effective January 1, 2019, a hospital (including acute care, psychiatric and special hospitals) must create a discharge planning policy specific to the issues presented by homeless patients (including the provision of certain services), as detailed in the table below.

Requirements for a hospital discharging a homeless patient

Hospitals must:
• Determine each patient’s housing status
• Connect homeless patients with available community resources, treatment, shelter and other supportive services
• Inform homeless patients about available housing options and identify a post-discharge destination for the homeless patient with priority given to identifying a sheltered destination with supportive services
• Document that the treating physician for a homeless patient has determined that the patient is clinically stable, alert, and oriented
• Document that the treating physician for homeless patient has discussed medical needs with the patient and provided a prescription, if needed
• Offer a meal (unless contraindicated), weather-appropriate clothing if needed, an appropriate supply of medication if needed
• Offer or referral to screening for infectious disease
• Offer vaccinations appropriate to the homeless patient’s presenting medical condition
• Document that the treating physician for a homeless patient has provided a medical screening examination and evaluation
• Make a good faith effort to contact: -Homeless patient’s health plan, if applicable -Homeless patient’s primary care provider, if the patient has one -Another appropriate provider, including the coordinated entry system
• Assist with enrollment in affordable health insurance coverage
• Offer transportation to the housing option identified for the patient

Phase 2: Improved Planning for Post-Discharge Care, Coordination with Area Agencies

Effective July 1, 2019, in addition to the requirements outlined in the table above, the new law places further duties on hospitals discharging homeless patients. Among these requirements is an emphasis on helping the patient



make arrangements for post-discharge care, including identifying and connecting the homeless patient with a family caregiver. The hospital must provide any needed counseling to the patient and their caregiver. In addition, for any patient that likely needs long-term care, the hospital must provide contact information for at least one public or nonprofit organization that provides referral for community-based long-term care. Each hospital must maintain a log of homeless patients discharged and their destinations, and must document either in the log or the patient's medical record that the discharge protocol was followed.

To facilitate improvement of the hospital's services for homeless patients, the hospital must develop a written plan for coordinating with the county behavioral health, health care, and social services agencies. The plan should include certain information, such as a list of local homeless shelters and their hours and admissions procedures.

For questions regarding this update, please contact:

[Lara Compton](#)
310.203.2800
lcompton@nelsonhardiman.com

[Christine Parkins Johnson](#)
310.203.2800
cjohnson@nelsonhardiman.com