

**Sixty-sixth Legislative Assembly of North Dakota
In Regular Session Commencing Thursday, January 3, 2019**

SENATE BILL NO. 2154
(Senators Poolman, Dever, Hogan)
(Representatives Beadle, Dobervich, Meier)

AN ACT to create and enact chapter 23-49 of the North Dakota Century Code, relating to hospital discharge policies.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Chapter 23-49 of the North Dakota Century Code is created and enacted as follows:

23-49-01. Definitions.

As used in this chapter:

1. "Discharge" means the exit or release of a patient from inpatient care in a hospital to the residence of the patient.
2. "Informal caregiver" means an individual at least eighteen years of age who a patient, or the patient's legal representative, designates at admission as a lay caregiver, and who following the discharge of the patient is willing and able to perform posthospital care for the patient at the patient's residence.
3. "Posthospital care" means care directly related to a patient's condition at the time of discharge and which is provided by an informal caregiver to the patient in the patient's residence.
4. "Residence" means the dwelling a patient considers to be the patient's home. The term does not include a hospital or rehabilitation facility.

23-49-02. Patient and caregiver discharge planning, involvement, and documentation.

1. A hospital shall adopt and maintain a written discharge planning process, including policies and procedures, which applies to all patients.
2. At an early stage of hospitalization, a hospital shall identify patients who are likely to suffer adverse health consequences if discharged without adequate discharge planning. A hospital shall involve a patient throughout the discharge planning process. As appropriate, a hospital shall involve the patient's informal caregiver or legal representative in the discharge planning process. A hospital shall:
 - a. Document the patient's discharge plan in the patient's medical record.
 - b. As appropriate, communicate the plan to the patient, the patient's informal caregiver, or the patient's representative.
 - c. Document the arrangements made for initial implementation of the patient's discharge plan in the patient's medical record, including any training or materials provided to the patient, the patient's informal caregiver, or the patient's representative.

23-49-03. Posthospital care training.

1. As appropriate, a hospital shall educate or train a patient, the patient's informal caregiver, or the patient's representative to prepare the patient for posthospital care.

2. The education or training provided by hospital staff to a patient, the patient's informal caregiver, or the patient's representative must be tailored to the patient's identified needs, including medications, treatment modalities, physical and occupational therapies, psychosocial needs, appointments, or other posthospital care.
3. Education and training provided by a hospital may include repeated review of the training and materials with a patient, the patient's informal caregiver, or the patient's representative.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-sixth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2154.

Senate Vote: Yeas 45 Nays 0 Absent 2

House Vote: Yeas 58 Nays 33 Absent 3

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2019.

Approved at _____ M. on _____, 2019.

Governor

Filed in this office this _____ day of _____, 2019,

at _____ o'clock _____ M.

Secretary of State