A discharge should be on your terms!

When Medicare coverage ends, many nursing homes push residents to leave – but you can stay. You can appeal Medicare ending, apply for Medi-Cal, or pay privately. To learn about appealing a Medicare end of coverage, contact a Medicare counseling program at 1-800-434-0222.

You may be forced to leave only if:

- You need more care than the nursing home can provide;
- You are well enough to go home;
- The safety or health of individuals in the facility is endangered;
- You cannot pay; or
- The facility closes.

Written notice is required

Notice about Medicare benefits terminating is not the same as a discharge notice! A discharge notice must contain a discharge location, discharge date, and information about your right to appeal. The notice must be given in advance, typically 30 days.

“Short Term Bed” is a lie

Nursing homes tell residents that most or all of its beds are for “short-term” or “rehabilitation” residents only. That is a lie. All beds in a nursing home are for long-term care.
Discharge Planning Requirements

In addition to providing a written discharge notice, a nursing home is required to help you plan for discharge by doing the following:

- Post-Discharge Plan of Care
- Discharge Summary
- Preparation and Orientation

Bed Hold During a Hospitalization

When a resident is transferred to a hospital, nursing homes are required to hold their bed up to seven days. If the resident is on Medi-Cal, and the hospitalization lasts more than seven days, the nursing home must readmit the resident to the first available bed.

Your Right to Stay

If you feel that you are not ready to leave the nursing home or that more planning is needed to ensure your safety, you can appeal a discharge with the State by calling the Office of Hearings and Appeals at 916-445-9775.

“What to do?” DO NOT LEAVE!

Don't agree to a discharge unless it is safe and appropriate. For more information about discharge from a nursing home, call 1-800-231-4024 and ask for the name of the Ombudsman program in your area.

The most pertinent laws and regulations are found in 42 CFR Sections 483.15 and 483.21 and 22 Cal. Code of Regulations, Section 72527.