

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Department of Health Care Finance**



Office of the Senior Deputy Director/Medicaid Director

Transmittal # 15-46

**TO:** Home Health Agencies (HHAs) and Elderly and Persons with Disabilities (EPD)  
Waiver Case Management Providers

**FROM:** Claudia Schlosberg, J.D.   
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Department of Health (DOH)

**DATE:** JAN 26 2016

**SUBJECT:** Ensuring Safe Discharge of Beneficiaries

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This transmittal is to notify Home Health Agencies (HHAs) and Elderly and Persons with Disabilities (EPD) waiver case management providers of their responsibility when initiating discharge of a Medicaid beneficiary. The Department of Health Care Finance (DHCF) rules governing personal care assistance services at 29 DCMR §5007.8 states:

In the event of a suspension or discharge, the Provider shall be responsible for ensuring that the beneficiary's health, safety, and welfare are not threatened during the period of suspension or during the period after the beneficiary has been discharged and before transfer to another provider.

To ensure the safe discharge of beneficiaries, DHCF and the Department of Health (DOH) require that prior to suspending services or effectuating a discharge, the provider must:

- assess the beneficiary's condition to ensure that suspension or termination of services does not endanger the health and safety of the beneficiary;
- document assessment findings in the beneficiary's record;
- notify the physician;

- ensure the beneficiary's Medicaid eligibility is current;
- refer the beneficiary to Department of Behavioral Health or other agencies, as appropriate; and
- document the actions taken to ensure that the beneficiary's suspension or discharge will have no adverse effect on the beneficiary.

In all cases, the provider must:

- (1) Arrange for alternative services prior to effectuating the suspension or discharge;
- (2) Provide the beneficiary and DHCF (at [DHCFLTCAProvider@dc.gov](mailto:DHCFLTCAProvider@dc.gov)) with a copy of the suspension/discharge plan describing the alternative services that will be put in place; and
- (3) Contact DOH and Adult Protective Services (APS) (see Agency Contacts below) if the provider believes the beneficiary is at risk as a result of the suspension/discharge.

For case management agencies, DHCF expects that the beneficiary will be transferred to another case management agency prior to suspension or discharge.

By way of reminder, the reporting requirements specified in the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, (DC Law 5-48, DC Official Code § 44-501, *et seq.*) are as follows:

**§ 44-508. Reporting to licensing authority [Formerly § 32-1308]**

***(a) Except as provided in subsection (b) of this section, in the event that a health professional's: (1) clinical privileges are reduced, suspended, revoked, or not renewed; or (2) employment or staff membership is involuntarily terminated or restricted for reasons of, or voluntarily terminated or restricted while involuntary action is being contemplated for reasons of, professional incompetence, mental or physical impairment, or unprofessional or unethical conduct, a facility or agency shall submit a written report detailing the facts of the case to the duly constituted governmental board, commission, or other authority, if one exists, responsible for licensing that health professional.***

***(b) The reporting requirement in subsection (a) of this section shall not apply to a temporary suspension or relinquishment of privileges or responsibilities if a health professional enters and successfully completes a prescribed program of education or rehabilitation. As soon as there exists no reasonable expectation that he or she will enter and successfully complete such a prescribed program, the facility or agency shall submit a report forthwith pursuant to subsection (a) of this section.***

It is important that providers ensure compliance with the aforementioned regulations in the event that the employment of a health professional is terminated for failure to provide quality services.

If you have any questions about this transmittal, please contact Mary Devasia, Acting Director, Long Term Care Administration (DHCF), 202-442-5931, [Mary.Devasia2@dc.gov](mailto:Mary.Devasia2@dc.gov) or Sharon Mebane, Program Manager Intermediate Care Facilities Division (DOH), 202-442-4751, [Sharon.Mebane@dc.gov](mailto:Sharon.Mebane@dc.gov).

**Agency Contacts:**

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