

Sixty-fifth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1039

Introduced by

Legislative Management

(Human Services Committee)

1 A BILL for an Act to create and enact a new section to chapter 23-16 of the North Dakota
2 Century Code, relating to hospital discharge policies.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 23-16 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Hospital discharge policies - Uncompensated caregivers.**

7 1. As used in this section:

- 8 a. "Aftercare" means assistance related to a patient's condition at the time of
9 discharge provided by an uncompensated caregiver to a patient after the
10 patient's discharge. The term may include assistance with activities of daily living,
11 instrumental activities of daily living, or medical or nursing tasks.
- 12 b. "Discharge" means a patient's release from a hospital following the patient's
13 admission to the hospital.
- 14 c. "Uncompensated caregiver" means an individual who, at the request of a patient,
15 agrees to provide, without compensation, aftercare to the patient in the patient's
16 residence.
- 17 2. A hospital shall establish and maintain written discharge policies in accordance with
18 the medicare and medicaid conditions of participation. The discharge policies apply to
19 all patients of the hospital, regardless of whether the patient receives medicare or
20 medicaid.
- 21 3. A patient or a patient's guardian may identify an uncompensated caregiver.
- 22 4. This section may not be construed to interfere with the rights of an agent operating
23 under a valid health care directive under chapter 23-06.5.