



NURSING FACILITY TRANSFER AND DISCHARGE NOTICES TO LTCOP

Tracie Rayfield
Transitions Advocate
Long-Term Care Ombudsman Program
Florida Department of Elder Affairs
Rayfieldt@elderaffairs.org
(904) 391-3943 | (904) 391-3944 (fax)

February 2025

Nursing Facility Transfer and Discharge Notices to LTCOP

According to 42 CFR 483.15, there are six reasons a nursing facility can transfer or discharge a resident.

- (A) The transfer or discharge is necessary for the resident's welfare and the resident's needs cannot be met in the facility;
- (B) The resident's health has improved sufficiently so the resident no longer needs the services provided by the facility;
- (C) The safety of individuals in the facility is endangered due to the clinical or behavioral status of the resident;
- (D) The health of individuals in the facility would otherwise be endangered;
- (E) The resident has failed, after reasonable and appropriate notice, to pay for (or to have paid under Medicare or Medicaid) a stay at the facility... or
- (F) The facility ceases to operate.

Bed Hold Notice

According to State Operations Manual, Appendix PP – Guidance to Surveyors, **upon a transfer**, a bed-hold notice must be given to the resident being transferred and the resident representative. If providing notice at the time of transfer is not possible due to a medical emergency, notice must be provided as soon as possible, **but not more than 24 hours after the transfer**. In cases where the facility is unable to notify the resident's representative, the facility is expected to make multiple attempts to reach the representative and to document those attempts.

What forms are required to be included in a notice for transfer or discharge?

Florida Statutes 400.0255

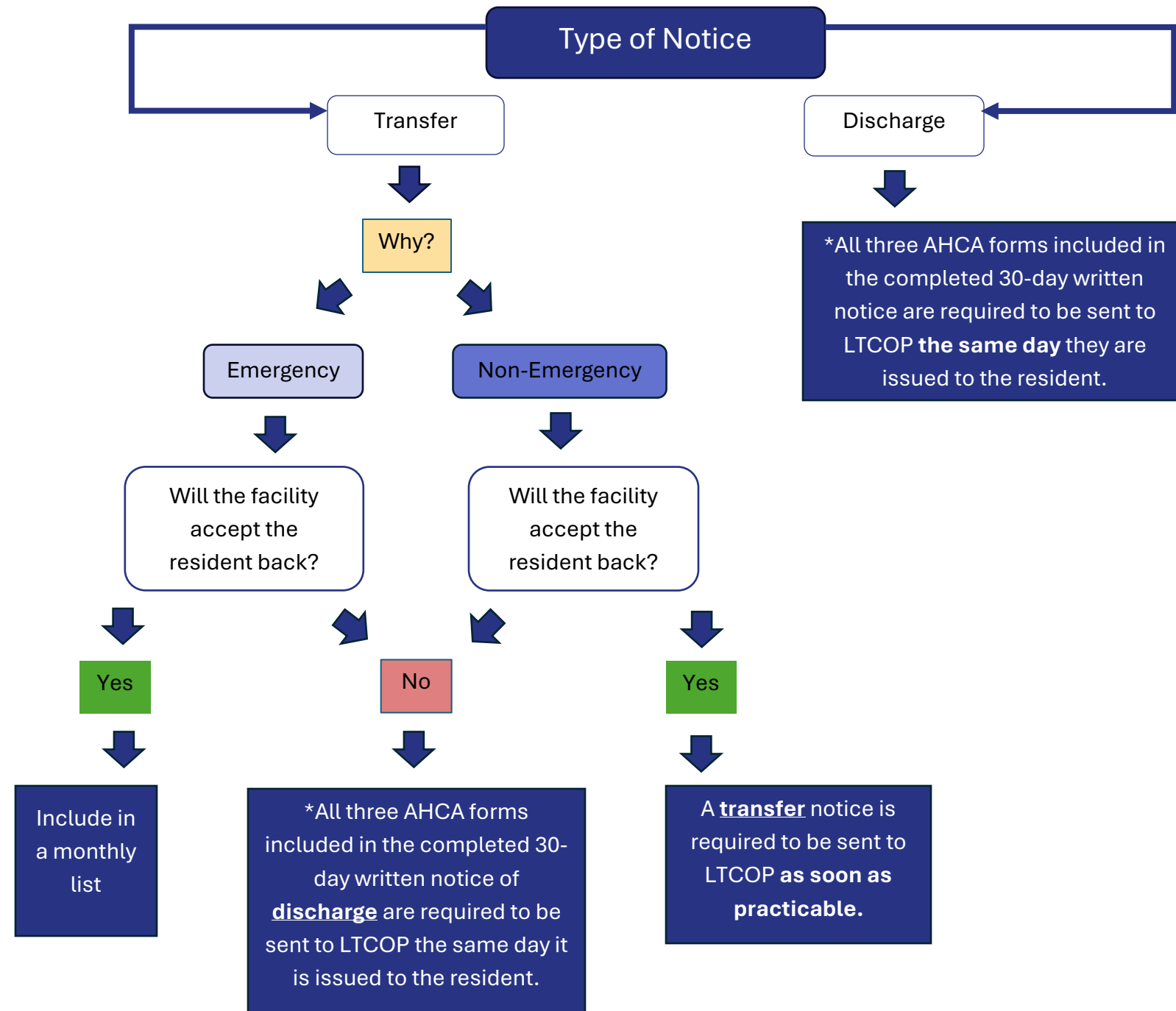
*Nursing facilities are required to send the following forms to the resident, their representative (if applicable) and the Long-Term Care Ombudsman Program:

- AHCA Form 3120-0002 **Nursing Home Transfer and Discharge Notice**
- AHCA Form 3120-0003 **Fair Hearing Request for Transfer or Discharge From a Nursing Home**
- AHCA Form 3120-0004 **Long-Term Care Ombudsman Program Request for Review of Nursing Home Discharge or Transfer**

A resident may request that the State Long-Term Care Ombudsman Program or local ombudsman council review any notice of discharge or transfer given to the resident. When requested by a resident to review a notice of discharge or transfer, **the local ombudsman council shall do so within 7 days after receipt of the request**. The nursing home administrator, or the administrator's designee, must forward the request for review contained in the notice to the State Long-Term Care Ombudsman Program or local ombudsman council **within 24 hours** after such request is submitted. Failure to forward the request within 24 hours after the request is submitted **shall toll the running of the 30-day advance notice period until the request has been forwarded**.

DO NOT INCLUDE other confidential documents such as face sheets or medical records with the transfer lists or the notice of transfer or discharge to LTCOP.

Nursing Facility Transfer and Discharge Notices to LTCOP



Definitions

TRANSFER – THE RESIDENT IS TEMPORARILY SENT TO ANOTHER CERTIFIED FACILITY AND IS EXPECTED TO RETURN TO THE ORIGINAL FACILITY.

DISCHARGE – THE MOVEMENT OF A RESIDENT TO ANOTHER CERTIFIED FACILITY OR LOCATION IN THE COMMUNITY AND RETURNING TO THE ORIGINAL FACILITY IS NOT EXPECTED.

- STATE OPERATIONS MANUAL, APPENDIX PP – GUIDANCE TO SURVEYORS

Notices of transfer or discharge must be sent to LTCOP as soon as practicable before the date of transfer or discharge when:

- THE SAFETY OR HEALTH OF INDIVIDUALS IN THE FACILITY WOULD BE ENDANGERED.
- THE RESIDENT'S HEALTH IMPROVES SUFFICIENTLY TO ALLOW A MORE IMMEDIATE TRANSFER OR DISCHARGE.
- AN IMMEDIATE TRANSFER OR DISCHARGE IS REQUIRED BY THE RESIDENT'S URGENT MEDICAL NEEDS.
- A RESIDENT HAS NOT RESIDED IN THE FACILITY FOR 30 DAYS.

THIS INCLUDES RESIDENTS WHO OBJECT FROM BEING DISCHARGED FROM MEDICARE AND WISH TO STAY IN THE FACILITY.

- STATE OPERATIONS MANUAL, APPENDIX PP – GUIDANCE TO SURVEYORS

§483.15(e)(1)(ii) Not Permitting Residents to Return

Not permitting a resident to return following hospitalization or therapeutic leave constitutes a discharge and requires a facility to meet the requirements as outlined in §483.15(c)(1)(ii).

-State Operations Manual Appendix PP- Guidance to Surveyors for Long Term Care Facilities