

## Office of Licensure and Certification

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Corrected copy

Effective December 15, 2011

### Notice of Bed Hold

#### General Information

When transferring nursing facility residents to the hospital, it is important that the resident and their family or legal representative receive timely notification of the facility's bed hold practices while the resident is in the hospital. A facility's bed hold practices are especially important when the resident remains in the hospital longer than expected.

To facilitate the process and to assure consistent language in facility notices, elder rights advocates, nursing facility representatives, and OLC collaborated on two model "Notice of Bed Hold" notices: (i) for residents and (ii) family members or legal representatives.

Facilities have the option of:

- Adopting the model notices or
- Using the model notices as the basis for developing facility specific notices
  - When developing facility specific notices, the information in the model notices must be included in the notice.

Providing these notices when the resident is transferred to the hospital will give residents and family members/legal representatives a better understanding of their rights and options. In instances where notification of a transfer is not immediately possible, such as a middle of the night transfer, it is expected that the facility will assure notification at the first available opportunity. However, such notification should not exceed 24 hours after the time of transfer.

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Notice for resident

<Printed on Facility Letterhead or Memo paper>

**Notice of Bed Hold Policy**

\_\_\_\_\_  
Date

You are being sent to the hospital today. If you are a Medicaid resident and you are admitted to the hospital, Virginia Medicaid does not pay to hold your bed. Whatever your payment source, unless the nursing home is paid to reserve the bed while you are in the hospital, the nursing home may move someone else into your room. However, even if the nursing home is not paid to hold your bed, you *may* have the right to return as soon as a bed is available in a semi-private room in this nursing home as long as you still need the services provided by this nursing home (and, if you are on Medicaid, you are eligible for Medicaid nursing home services).

**If the nursing home does not readmit you to the first available bed in a semi-private room when you are ready to leave the hospital—**

- You have the right to appeal the nursing home's decision to the Department of Medical Assistance Services, Appeals Division, 600 East Broad Street, Suite 1300, Richmond, VA 23219 (fax number: 804-371-8491).
- You may also file a complaint with the Office of Licensure and Certification, 9960 Mayland Drive, Richmond, VA 23233 (Toll Free: 1-800-955-1819 or in the metropolitan Richmond area: 804-367-2106).
- For help in filing an appeal or a complaint, contact the Office of the State Long Term Care Ombudsman at (804) 565-1600 or toll-free 1-800-552-3402.

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Notice for resident family or legal representative

< Printed on Facility Letterhead or Memo paper >

**Notice of Bed Hold Policy**

\_\_\_\_\_  
Date

\_\_\_\_\_ (“the resident”) has been sent to the hospital today. If the resident is on Medicaid and is admitted to the hospital, Virginia Medicaid does not pay to hold the resident’s bed. Whatever the resident’s payment source, unless the nursing home is paid to reserve the bed while the resident is in the hospital, the nursing home may move someone else into the resident’s room. However, even if the nursing home is not paid to hold the bed, the resident *may* have the right to return as soon as a bed is available in a semi-private room in this nursing home as long as the resident still needs the services provided by this nursing home (and, if the resident is on Medicaid, he or she is eligible for Medicaid nursing home services).

**If the nursing home does not readmit the resident to the first available bed in a semi-private room when the resident is ready to leave the hospital, the resident has the right to:**

- Appeal the nursing home’s decision to the Department of Medical Assistance Services, Appeals Division, 600 East Broad Street, Suite 1300, Richmond, VA 23219 (fax number: 804-371-8491).
- File a complaint with the Office of Licensure and Certification, 9960 Mayland Drive, Richmond, VA 23233 (Toll Free: 1-800-955-1819 or in the metropolitan Richmond area: 804-367-2106).

For help in filing an appeal or a complaint, contact the Office of the State Long Term Care Ombudsman at (804) 565-1600 or toll-free 1-800-552-3402.