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## OLR Bill Analysis

**sHB 5535 (as amended by House "A" and "C")\***

***AN ACT CONCERNING NOTICE OF A PATIENT'S OBSERVATION STATUS AND NOTICE CONCERNING THE QUALIFICATIONS OF THOSE WHO PROVIDE HEALTH CARE AND COUNSELING SERVICES.***

**SUMMARY:**

This bill generally requires hospitals to provide oral and written notice informing patients when the hospital has placed them in observation status, no later than 24 hours after the placement. The requirement does not apply if the patient was discharged or left the hospital prior to the end of that 24-hour period.

The bill specifies certain information that must be included with the notice and requires the patient or patient's authorized representative to sign the written notice. In general, observation status refers to patients who are being treated in a hospital but are classified as outpatients rather than as being admitted to the hospital.

\*House Amendment "A" removes provisions requiring certain outpatient providers of health care or counseling services to provide written notice to their patients or clients, describing the services and their providers' qualifications.

\*House Amendment "C" provides that the notice of observation status is not required if the patient is discharged or leaves the hospital before the end of the 24-hour period.

EFFECTIVE DATE: October 1, 2014

**NOTICE CONCERNING OBSERVATION STATUS IN HOSPITALS**

Under the bill, the required notices concerning a patient's placement in observation status must include:

1. a statement that the patient is not admitted to the hospital but is

under observation status;

2. a statement that this status may affect coverage under Medicare, Medicaid, or private insurance for (a) hospital services, including medications and pharmaceutical supplies, or (b) home or community-based care or care at a skilled nursing facility, upon the patient's discharge; and
3. a recommendation that the patient contact his or her health insurance provider or the Office of the Healthcare Advocate to better understand the implications of being placed in observation status.

The bill requires the written notice to be signed and dated by the patient or his or her legal guardian, conservator, or other authorized representative.

#### **COMMITTEE ACTION**

Public Health Committee

Joint Favorable Substitute

Yea 25 Nay 0 (03/25/2014)