

Involuntary Discharge



What is an Involuntary Discharge?

- When the facility issues a 30 day notice informing a resident they need to move out of the facility.

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- Reasons the facility can issue this notice:
 - If there is an unpaid bill.
 - For medical reasons, based on the resident's needs.
 - For the welfare of that or other residents.

Emergency Discharge

- In some situations, the facility may deem the discharge to be an immediate need, and if so, they are required to issue an “Emergency Involuntary Discharge”.
 - This may occur when there is medical justification by a physician to show that the facility is protecting the health, safety, or well-being of other residents or staff.

Frequently Asked Questions

Q. I've received a 30 day involuntary discharge notice. I do not agree with this decision. What is my recourse?

Frequently Asked Questions

A. You have the right to appeal this decision within 7 days after receiving the involuntary discharge notice. You may request a hearing through the Iowa Department of Inspections and Appeals at: 515-281-4115.

Or, you may write to the department attention of: Administrator, Division of Health Facilities, Department of Inspections and Appeals, Lucas State Office Building, Des Moines, IA 50319.

Frequently Asked Questions

Q. I've requested a hearing to contest my involuntary discharge. How do I prepare for a hearing? Do I need an attorney?

Frequently Asked Questions

- A. You have the right to be represented by an attorney or any individual of your choice. The Office of the State Long-Term Care Ombudsman's Discharge Specialist, Cindy Pederson, will contact you. She will provide information and assistance to you throughout this process. Cindy may also assist you through negotiating a resolution with the facility. She can be reached at: 1-866-236-1430, or 515-393-1710 and via e-mail at: cynthia.pederson@iowa.gov

Frequently Asked Questions

Q. I'm not able to drive to Des Moines to attend a hearing. Does that mean I can't challenge the involuntary discharge decision?

A. The hearings are done over the phone, so there is no need to attend a hearing in person.

Frequently Asked Questions

Q. Will I receive an involuntary discharge notice if I run out of private pay funds and have to use Medicaid funding?

Frequently Asked Questions

A. If the facility accepts Medicaid as a payer source, they cannot ask you to leave when you become Medicaid eligible. Before you move into a facility, make sure they accept Medicaid if you think you may become Medicaid eligible in the future.

Frequently Asked Questions

Q. Can the nursing home issue an involuntary discharge if I voice concerns?

Frequently Asked Questions

A. No, the nursing home has the obligation to address your concerns. Federal and state laws prohibit retaliation. Iowa law allows an involuntary discharge to be given in these circumstances only:

- For nonpayment
- For medical reasons
- For the welfare of that or other residents

Frequently Asked Questions

Q. The facility has mentioned the possibility of issuing a 30 day involuntary discharge notice. What can I do?

Frequently Asked Questions

- A. The Office of the State Long-Term Care Ombudsman can provide you with information and help to solve some of the issues that may lead to the 30 day notice. The Ombudsman works to resolve concerns made by or on behalf of residents living in long-term care. Contact your local ombudsman at: 1-866-236-1430.



Office of the State Long-Term Care
OMBUDSMAN

Established within the Iowa Department on Aging
515.725.3333 | 866.236.1430 | www.iowaaging.gov