

A good faith effort is considered to have been made if the nursing home has exhausted all reasonable means and taken every necessary and appropriate step to enter into an agreement with a hospital sufficiently close to the facility to make the transfer of residents safe and orderly.

Also refer to §483.15 - Admission, transfer and discharge rights. Information in the transfer agreement should support the requirements in §483.15(c)(7), F627 and the facility's efforts to ensure safe and orderly transfers. In addition, the agreement should include the information in §483.15(c)(2)(iii), (F628), and consider other information that may be necessary for the safe and orderly transfer of the resident, and care and treatment of the resident at the receiving setting.

KEY ELEMENTS OF NONCOMPLIANCE

To cite deficient practice at F843, the surveyor's investigation will generally show that the facility failed to do any one of the following:

- Have a written transfer agreement in effect with one or more hospitals approved for participation in Medicare/Medicaid programs; or
- Ensure the transfer agreement(s) reasonably assured:
 - Residents will be transferred for timely admission to the hospital when medically appropriate; or
 - Medical or other information will be exchanged between the facility and the hospital:
 - Including, but not limited to the information required under §483.15(c)(2)(iii); or
 - Information needed for resident care/treatment; or
 - To determine whether the resident can be cared for in a less restrictive setting than either the facility or the hospital; or
- Attempt good faith efforts to enter into an agreement with a hospital sufficiently close to the facility to make the transfer safely and orderly.

F844

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§483.70(j) Disclosure of ownership.

§483.70(j)(1) The facility must comply with the disclosure requirements of §420.206 and 455.104 of this chapter.