Is the patient an adult* who is admitted as an inpatient?

No.

No further action needed by hospital. The CARE Act’s obligations do not apply.

Yes.

Offer the patient an opportunity to designate a lay caregiver.

The patient declines to designate a lay caregiver.

Hospitals must document the patient’s declination within the patient’s medical record.

No further action needed by hospital.

The patient designates a lay caregiver.

Hospital must request written consent authorizing the release of medical information to the lay caregiver.

If the patient declines to provide written consent, hospital must document refusal in patient’s medical record.

If consent is provided:

1) Record the lay caregiver’s name, address, phone number & relationship to the patient in patient’s medical record.

No further action needed by hospital.

2) Ask the patient if the lay caregiver has a preferred means of contact. If yes, record the preferred means in the patient’s medical record.

3) Develop "at home care plan" if the a "discharge plan" has not been developed.

4) Must attempt to consult with lay caregiver to review "at home care plan"(or "discharge plan") and offer lay caregiver an opportunity to ask questions.

5) A hospital may provide certain training to prepare the lay caregiver for patient’s home care.

6) If the patient is incapable of providing timely or accurate notice of discharge or transfer to the lay caregiver, the hospital must attempt to provide the notification.

Disclaimer: This visual is for illustration only. For complete guidance on the CARE Act, please consult the February 16, 2016 IHA Legal Memo.

* The opportunity to designate a lay caregiver need only be offered to those admitted inpatients who are adults, or are otherwise able to consent to health care per Indiana's patient consent laws under Indiana Code 16-36-1. Generally, this means a person 18 years of age or older, but it does include certain minors under rather limited circumstances (such as those who are legally emancipated). It would not apply to newborns.