Bedhold for Nursing Home Residents: Know the Facts

Maryland Medicaid has changed their bedhold policy.
What does this mean for me if I receive Medicaid?

1. What is a bedhold?

A bedhold is when a nursing home holds a bed for you when you go into the hospital. **Starting July 1, 2012, Maryland Medicaid is no longer paying for nursing homes to hold your bed if you are hospitalized.** All nursing homes must have a written bedhold policy. They must give it to you when you are admitted, before any transfer to the hospital, and when you transfer.

2. Can I still go back to the nursing home even if my bed was not held?

You have a right to return to the same nursing home IF there is an available bed. Even if someone has taken your old bed, you are entitled to return to the first available bed in a semi-private room. You may return to your old bed if it is empty, but the nursing home is not required by law to hold your old bed for you.

3. What if no beds are available at my previous nursing home when I am ready for discharge?

Very few nursing homes are so full that a bed would not be available. If this happens, the hospital must help you find another nursing home where beds are available. Then, if you choose to, you can later transfer back to the first nursing home when the first bed becomes available. If you try to stay at the hospital until a bed becomes available at the first nursing home, you could end up with a large bill owed to the hospital.

4. What if my previous nursing home says that they don't have beds available, but they don't seem full?

If you question whether a nursing home really has beds available, you can contact the Maryland Office of Health Care Quality at 1-877-402-8219.

If a nursing home doesn't let you back in when a bed is available, that is called an involuntary discharge. You have a right to receive a 30-day involuntary discharge notice. You must be advised of your appeal rights in writing. You have a right to appeal an involuntary discharge by requesting a mediation and hearing with the Office of Administrative Hearings.

5. What questions should I ask about my bedhold rights when choosing a nursing home?

Ask the nursing home administrator about their bedhold policy. Some nursing homes may hold your bed for fifteen days while you are hospitalized, even though Maryland Medicaid will not pay the nursing home during your time away. You may want to go to one of these nursing homes.

You can also ask the administrator about whether the nursing home usually has beds available. If the nursing home is typically almost full, tell them you are concerned about whether you will be able to go back to the nursing home if you are hospitalized. You can ask for a better bedhold policy when signing the admission contract.

6. Can a nursing home charge to hold a bed when I am hospitalized?

Yes, according to the Maryland Department of Health and Mental Hygiene, nursing homes may charge up to the private pay rate for a bed— sometimes as much as $300 per day. This charge has to be clearly stated in the nursing home's bedhold policy. You or your family can choose whether to pay this daily fee. The nursing home is required to let you return to the first available bed but it may not be the bed that you left before you went into the hospital.

7. Who can I contact if I have questions or want help?

You can contact the Long Term Care Ombudsman's office at 1-800-243-3425. The Ombudsman is a free advocate for nursing home residents. For legal advice, you can contact the Maryland Legal Aid Long Term Care Assistance Project at 1-800-367-7563. Legal Aid's services are free for those who qualify.

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