Policy At A Glance:

Hospital Patient Discharge Process:
Homeless Patients (SB 1152)

In response to recent headlines on “patient dumping,” California legislators are proposing that hospitals establish written homeless patient discharge policy and process.

What is Senate Bill 1152?

Senate Bill (SB) 1152 amends Assembly Bill (AB) 2745 which prohibits health facilities from transferring homeless patients from one county to another for care without prior planning. As it stands today, SB 1152 requires acute care hospitals, acute psychiatric hospitals, and special hospitals to:

- Establish a written process to make sure adequate post-hospital care arrangements are made for homeless patients
- Report patient housing and discharge information to the Office of Statewide Health Planning and Development
- Coordinate services and referrals with behavioral health, medical care, and social services agencies for homeless patients
- Maintain an accurate list of local homeless shelters, including their operation hours and admission procedures

Current regulation requires hospitals to have a discharge policy for all patients, including those who are homeless. SB 1152 does not address penalties for violators and it is a state-mandated local program.

History

9/29/2006 AB 2745 (Hospitals: Discharge Plans: Homeless Patients) enacted
2/14/2018 SB 1152 introduced by Senator Ed Hernandez
4/18/2018 SB 1152 passes the Senate Health Committee (7:1)
5/30/2018 SB 1152 passes the Senate (26:13) and heads to the Assembly
1/1/2019 SB 1152 will go into effect if enacted
Who is considered a “homeless patient”?

SB 1152 defines homeless patients as someone who “lacks a fixed and regular nighttime residence, who has a primary nighttime residence that is a supervised publicly or privately operated shelter designed to provide temporary living accommodations, or who is residing in a public or private place that is designed either to provide temporary living accommodations or to be used as a sleeping accommodation for human beings.”

What should the hospital discharge policy include?

SB 1152 requires hospitals to include plans for coordination of services to shelters, medical care, and behavioral health care in their homeless patient discharge policy.

Specifically, hospitals must discharge homeless patients to a social service agency, a nonprofit social services provider, or a governmental service provider. Hospitals must also ensure that these agencies are prepared to accept the patient and the patient has agreed to the placement. Homeless patients may also be discharged to their “residence” (the principal dwelling place of the patient) or an alternative destination. While priority should be given to social service organizations with supportive services over the patient’s own residence or an alternate destination, patient preferences must be taken into account when deciding on placement.

What are the hospital’s other responsibilities?

Under SB 1152, hospitals must ensure and document the following before discharging a homeless patient:

- Patient must have food and water unless there is a medical reason
- Patient must have weather-appropriate clothing
- Patient must have a source of follow up care
- Patient must have a supply of medications
- Patient must have necessary medical durable equipment
- Patient must be offered screening for infectious diseases
- Patient must be offered vaccination
- Patient must be alert and oriented to person, place, and time
- Patient must be assisted to enroll in eligible, affordable health insurance coverage
- Patient must have transportation to the discharge destination

The hospital must also maintain a log of homeless patients discharged and locations to which they were discharged.
Who supports SB 1152?

California Pan-Ethnic Health Network (CPEHN) and Service Employees International Union (SEIU) California are co-sponsors of this bill. The California Police Chiefs Association, City of Modesto, City of San Jose, Justice in Aging, Health Access California, San Francisco Coalition on Homelessness, and Homeless Health Care Los Angeles also support SB 1152. Supporters of the bill state that while existing law requires hospitals to have written discharge planning policies and processes, it does not take into account the unique needs of homeless individuals. Many believe that SB 1152 will help hospitals and social services partner more effectively to support homeless patients after their hospital stay. The California Police Chiefs Association states that this bill may result in decreased interactions between law enforcement and homeless individuals.

Who opposes SB 1152?

Currently, the California Chapter of the American College of Emergency Physicians, California Hospital Association, and California Medical Association are opposed to SB 1152 unless it is amended. The reasons for their opposition are as follows:

- Overall effectiveness of SB 1152 hinges on community resource availability
- Overcrowding of emergency departments will be exacerbated if hospitals have to house homeless patients who have been treated and medically cleared for discharge until a social services agencies are open and available to accept these patients
- Additional services (for example, screening, vaccinations) mandated by SB 1152 and not ordered by a physician should be delivered in non-patient care area of the hospital, especially outside the emergency department

References