

**4664.0030 HOSPICE BILL OF RIGHTS AND NOTIFICATION OF SERVICE CHARGES.**

Subpart 1. **Notification of bill of rights.** No later than the time hospice services are initiated, a hospice provider shall give a written copy of the hospice bill of rights, as required by Minnesota Statutes, section 144A.751, to each hospice patient or responsible person.

Subp. 2. **Content of notice.** In addition to the text of the bill of rights in Minnesota Statutes, section 144A.751, subdivision 1, the written notice to the patient must include the following:

A. a statement, printed prominently in capital letters, as follows:

IF YOU HAVE A COMPLAINT ABOUT THE AGENCY OR PERSON PROVIDING YOU HOSPICE SERVICES, YOU MAY CALL, WRITE, OR VISIT THE OFFICE OF HEALTH FACILITY COMPLAINTS, MINNESOTA DEPARTMENT OF HEALTH. YOU MAY ALSO CONTACT THE OMBUDSMAN FOR OLDER MINNESOTANS;

B. the telephone number, mailing address, and street address of the Office of Health Facility Complaints;

C. the telephone number and address of the Office of the Ombudsman for Older Minnesotans;

D. the licensee's name, address, telephone number, and name or title of the person to whom problems or complaints may be directed; and

E. if the hospice provider operates a residential hospice facility, the written notice to each residential hospice patient must include the number and qualifications of the personnel, including both staff persons and volunteers, employed by the provider to meet the requirements of part 4664.0390 on each shift at the residential hospice facility.

Subp. 3. **Charges for services.** A hospice provider must provide to a hospice patient or responsible person within 48 hours of admission a written notice of charges for services, according to Minnesota Statutes, section 144A.751, subdivision 1, clause (8). Notice under this subdivision is in addition to the notice required by Minnesota Statutes, section 144A.751, subdivision 1, clause (7).

Subp. 4. **Change in charges for services.** A hospice provider must provide written notice of changes in charges for services, according to Minnesota Statutes, section 144A.751, subdivision 1, clause (17). The notice must include the name, address, and telephone number of the Office of the Ombudsman for Older Minnesotans.

Subp. 5. **Acknowledgment of receipt.** A hospice provider shall obtain written acknowledgment of the hospice patient's receipt of the bill of rights and notice of charges for services, or if unable to obtain written acknowledgment, document oral acknowledgment

of receipt, including the date of the acknowledgment. The acknowledgment must be obtained from the hospice patient or the hospice patient's responsible person.

Subp. 6. **Documentation.** The licensee shall retain in the hospice patient's record documentation of compliance with this part.

Subp. 7. **Waivers prohibited.** A licensee shall not request or obtain from hospice patients any waiver of any of the rights enumerated in Minnesota Statutes, section 144A.751, subdivision 1. A waiver obtained in violation of this subpart is void.

Subp. 8. **Fines.** For each violation of the following subparts, the stated fine shall be assessed:

- A. subpart 1, \$250;
- B. subpart 2, \$50;
- C. subpart 3, \$250;
- D. subpart 4, \$250;
- E. subpart 5, \$50; and
- F. subpart 6, \$50.

**Statutory Authority:** *MS s 144A.752*

**History:** *28 SR 1639; L 2005 c 122 s 1*

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