

4664.0090 PROFESSIONAL MANAGEMENT RESPONSIBILITY.

Subpart 1. **Professional management.** A hospice provider must ensure that all hospice services provided by contractual arrangement related to a hospice patient's care for terminal illness are provided according to this chapter and Minnesota Statutes, sections 144A.75 to 144A.755.

Subp. 2. **Written contracts.** If a hospice provider arranges for another individual or entity, including an inpatient facility, to furnish hospice services to a hospice patient, then the hospice provider must have a written contract for the provision of the services. The contract must include:

- A. a description of the services to be provided under contract;
- B. a stipulation that services may only be provided with the express authorization of the hospice provider;
- C. the manner in which the contracted services are coordinated, supervised, and evaluated by the hospice provider;
- D. the delineation of the roles of the hospice provider and the contractor in the admission process, patient and family assessment, and interdisciplinary care conferences;
- E. requirements for documenting that services are furnished according to the contract;
- F. the qualifications of the personnel providing the services; and
- G. a stipulation that the hospice provider is responsible for overall management of the hospice patient's care coordination with other providers.

Subp. 3. **Inpatient services contracts.** If a hospice provider arranges for another individual or entity to furnish inpatient services to a hospice patient, then the hospice provider must have a written contract for the provision of the services. The contract must include:

- A. a requirement that the hospice provider furnish to the contractor a copy of the patient's plan of care;
- B. a statement that the contractor agrees to abide by the patient care protocols established by the hospice for its patients;
- C. a requirement that the medical record includes a record of all inpatient services and events and that a copy of the discharge summary and a copy of the medical record, if requested, is provided to the hospice provider; and
- D. a statement that the hospice provider retains responsibility for appropriate hospice care training of the personnel who provide hospice care under the contract.

Subp. 4. **Fines.** For each violation of the following subparts, the stated fine shall be assessed:

- A. subpart 1, \$100;
- B. subpart 2, \$100; and
- C. subpart 3, \$100.

Statutory Authority: *MS s 144A.752*

History: *28 SR 1639*

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