

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Article 1 of Chapter 5 of Title 32.1 a section*
3 *numbered 32.1-137.03, relating to hospitals; required notice to patients.*

4 [S 750]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That the Code of Virginia is amended by adding in Article 1 of Chapter 5 of Title 32.1 a**
8 **section numbered 32.1-137.03 as follows:**

9 **§ 32.1-137.03. Patient notice of observation or outpatient status.**

10 *A. A hospital shall provide oral and written notice to any patient placed under observation or in any*
11 *other outpatient status, or to such patient's authorized representative, informing the patient of his*
12 *placement in such status if (i) the patient receives onsite services from the hospital and (ii) such onsite*
13 *services include a hospital bed and meals that are provided in an area of the hospital other than the*
14 *emergency department. Such oral and written notice shall be provided not later than 24 hours after*
15 *placement under observation or in any other outpatient status unless the patient has been discharged or*
16 *has left the hospital prior to the expiration of such 24-hour period.*

17 *B. Such written notice shall be written in clear, understandable language and printed in at least*
18 *14-point type. The written notice shall include:*

19 *1. A statement that the patient is not admitted to the hospital as an inpatient but is under*
20 *observation or in such other outpatient status;*

21 *2. A statement that such observation or other outpatient status may affect the patient's Medicare,*
22 *Medicaid, or private health insurance coverage of (i) the current hospital services, including*
23 *medications and pharmaceutical supplies, and (ii) care at a skilled nursing facility or home or*
24 *community-based care upon the patient's discharge from the hospital; and*

25 *3. A statement that the patient should contact the identified hospital representative, his health*
26 *insurance plan, or the appropriate Center for Medicare & Medicaid Services Beneficiary and*
27 *Family-Centered Care Quality Improvement Organization for more information on his observation or*
28 *other outpatient status and any available recourse.*

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