

HB 796 -- PATIENT-DESIGNATED CAREGIVERS

SPONSOR: Brown (94)

This bill creates the "Caregiver, Advise, Record, and Enable (CARE) Act," which requires a hospital or ambulatory surgical center to provide each patient or patient's legal guardian with an opportunity to designate a caregiver prior to the patient's discharge. Such designation must include a written consent of the patient or the patient's legal guardian to release confidential medical information to the designated caregiver if such records are necessary for the provision of after-care. Such caregiver designation, or lack thereof, must be documented by the hospital or ambulatory surgical center. The hospital or ambulatory surgical center must notify a patient's caregiver of the patient's discharge or transfer as soon as practicable, and provide the caregiver with the patient's discharge plan or instructions for after-care. Nothing in the bill authorizes or requires compensation of caregivers by a state agency or health carrier. Hospitals, ambulatory surgical centers, or employees or contractors of such entities must not be liable in any way for the actions of a caregiver. Nothing in the bill must interfere with the rights of an attorney in fact under a durable power of health care.

This bill is the same as SB 1102 (2016).