



IOWA HOUSE DEMOCRATS

BILL SUMMARY

Iowa Care Act [HF 533](#)

Status of Bill: House Calendar

Committee: Human Resources (20-1) (Rep. Best voted no)

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Lead Democrat: Rep. Konfrst

Floor Manager: Rep. Dolecheck

Background

The Iowa Care act is an AARP initiative that deals with designated caregivers when a person is admitted into the hospital and instructions for that caregiver once the person leaves the hospital. Currently, Iowa is one of fourteen states that do not have these types of laws, and there are no federal laws, rules or regulations that define what a hospital needs to do with patient discharge and family caregivers. AARP states that there are over 317,000 unpaid family caregivers in the state.

Summary

The language in this bill was worked out between the AARP and the Iowa Hospital Association (IHA), who was previously against the bill but changed to undecided.

The bill does the following:

- Requires hospitals to adopt and maintain evidence-based discharge policies that, at a minimum, assess the patient's ability for self-care and provide them or their legal representative with the opportunity to designate one lay caregiver. This lay caregiver must be an adult, is designated as the caregiver by the patient or the patient's legal representative, and is willing and able to perform the after-care assistance required.
- If the patient does not want to designate a lay caregiver, the hospital will document this decision in the patient's medical records.
- If the patient wants to designate a caregiver, and provides written consent to release medical information to this person, the hospital will record this and the caregiver's information in the patient's medical records. If no consent is given, the hospital is under no further obligation to provide any notice to the caregiver.
- The patient may change the designation of the caregiver if the caregiver becomes incapacitated.
- However, being designated as a caregiver does not obligate the individual to perform any after-care assistance for the patient.
- The hospital must attempt to notify the patient's caregiver if they are discharged as soon as practical.
- Before the patient is discharged, the hospital must attempt to consult with the caregiver regarding after-care assistance and issue a discharge plan that describes the after-care needs of the patient and instructions on how to complete these tasks.
- However, if the hospital is unable to speak with the caregiver, it will not interfere with the appropriate discharge or transfer of a patient.
- This bill does not give the caregiver any decision-making authority.

Thien, Kelsey [LEGIS]G:\Caucus Staff\Kelsey.Thien\2019 Session\Bill Summaries\Need to Correct and Print\HF 340-Iowa Care Act.docx\February 26, 2019\1:05 PM