**Section 107.50 Discharge from Homes**

a) Discharge from a Home shall be made when a resident:

1) Is rehabilitated to the point where he (she) is no longer disabled.

2) Develops a chronic medical condition that is so severe that it cannot be treated appropriately at a Home or distinct part of a Home, or through arrangement with a qualified outside resource, provided that all involuntary discharges and transfers shall be in accordance with Article III, Part 4 of the Illinois Nursing Home Care Act [210 ILCS 45/Art. III, Part 4].

3) Is permanently transferred to another facility or living arrangement.

4) Poses such serious and consistent behavioral problems that he/she is a danger to him/herself or to others.

5) Fails to pay the established maintenance fee or other legitimate charges within a reasonable time period.

b) A Home shall not refuse to discharge or transfer a resident when requested to do so by the resident or, if the resident is incompetent, by the resident's guardian.

c) If a resident insists on being discharged and is discharged against medical advice, the facts involved in the situation shall be fully documented in the resident's clinical record.

d) A Home shall document all leaves and temporary transfers. The documentation shall include date, time, condition of resident, person to whom the resident was released, planned destination, anticipated date of return, and any special instructions on medication dispensed (See 77 Ill. Adm. Code 340.1310).

(Source: Amended at 25 Ill. Reg. 5756, effective April 17, 2001)