

**801—10.36(35D) Passes, furloughs, and room retention.****10.36(1) *Non-Title XIX members.***

*a.* Members are free to leave IVH grounds unless contraindicated by medical determination. In cases where it is determined to be medically contraindicated and a member chooses to leave, the member or legal representative must sign “Discharge/Furlough Against Medical Advice,” Form 475-0940.

*b.* Passes are required if the member expects to be absent past midnight. A pass shall not exceed 96 hours. If a member expects to be gone more than 96 hours, a furlough is required.

*c.* Upon return from a pass or furlough, the member must spend 24 hours in residence at IVH before another pass or furlough is issued. The commandant or designee may, in an emergency situation such as family illness or death, grant exceptions.

*d.* All furloughs other than free time shall require payment of member support charges as though the member were in residency. Failure to pay regular member support charges shall result in discharge of the member. Furlough length may be changed by notification from the member or legal representative to the nursing unit social worker or domiciliary office.

*e.* Medical furloughs. Furloughs spent in approved medical facilities away from IVH shall not be counted against the 59-day furlough time limit as set out in paragraph 10.14(3) “*c.*”

Hospital furloughs shall be granted and the charges for such furloughs shall be as follows: During the first ten days of any hospital stay, the member shall pay the regular and usual assessed charge of the level of care of the bed held. Beginning on the eleventh day through the remainder of the hospitalization, the member shall not be charged. Each monthly member support bill shall reflect any adjustments related to hospitalization. Members discharged from IVH shall have the account closed before the first of the month following the discharge.

Furloughs to other medical facilities for the purpose of treatment shall be treated as hospital furloughs.

*f.* General furloughs.

(1) Fifteen days of furlough time each calendar year shall be free time.

(2) The member shall be charged the usual support charge for furlough time over 15 days up to and including 59 days.

(3) The member shall be charged the full member support for the level of care in which the member resides for furlough time over 59 days.

(4) Free time and other furlough time are not cumulative from one calendar year to another calendar year.

(5) Free time the member has not utilized or cannot utilize shall not be credited toward the member’s support.

(6) Support charges for the member on furlough wishing to retain the member’s room or bed shall be due and payable as though the member were in residency as set forth in paragraph 10.36(1) “*d.*”

*g.* When a member is on pass, the member shall remain on in-house status for DVA per diem purposes and IVH shall be financially responsible for medical expenses unless these are assumed by the member or legal representative in relation to choice of medical facility.

*h.* When a member is on furlough, IVH is not financially responsible for any medical charges for the member.

**10.36(2) *Members who are receiving Title XIX benefits.***

*a.* Members are free to leave IVH grounds unless contraindicated by medical determination. In cases where it is determined to be medically contraindicated and a member chooses to leave, the member or legal representative must sign “Discharge/Furlough Against Medical Advice,” Form 475-0940.

*b.* A pass or furlough as set out in paragraph 10.36(1) “*b*” (whichever is appropriate) is required if a member expects to be absent past midnight. Free time does not apply to Title XIX members.

*c.* The member’s bed shall be held while the member is visiting away from IVH for a period not to exceed 18 days in any calendar year. There is no restriction as to the amount of days taken in any one month or during any one visit, as long as the days taken in the calendar year do not exceed 18. Additional days shall be allowed if the member’s medical provider recommends in the plan of care that additional days would be rehabilitative.

*d.* A member or a legal representative who wishes to exceed the 18 visitation days and retain the member's bed, but does not have medical provider recommendation for an extension, must make arrangements with the director of admissions or designee for payment of the rate determined by the department of human services income maintenance worker for all days in excess of the 18 visitation days. If prior arrangements and payment are not made, a member may be discharged in accordance with subrule 10.12(2).

*e.* A bed shall be held for a hospitalized member. The member's client participation shall be paid according to the department of human services' income maintenance worker for all hospitalized days until member returns or is discharged.

*f.* IVH is not financially responsible for any medical charges for the member when visiting away from IVH.