



Steps for Transfer In Compliance with Executive Order 202.79 Rapid Transfer

- Determine the current capacity of facility.
- Determine patients that could meet criteria for a safe transfer.
- Undertake a discussion with the patient or legal representative regarding the rationale for transfer.

A mere disagreement to the transfer that is expressed by the patient or their representative should not affect the determination for a transfer. However, if the prospect of transfer is so upsetting to the patient or their representative that it affects or is likely to affect their clinical condition or the safety of the transfer, that fact must be taken into account in determining whether the transfer is safe.

Please see below talking points:

Level Loading Talking Points

"As you know, the impact of COVID has put a strain on hospitals across the state. We know that patients are safer when hospitals have adequate space and capacity to care for them. Based on this, New York State requires us to move patients between our hospitals to ensure that each of our sites can safely care for patients.

Our hospital is currently nearing capacity. Our team has determined that your loved one still requires hospitalization, but can be safely moved to hospital x. We have gone through the chart and reviewed the case with the doctors at hospital x to ensure that the current plan can be continued there. We want you to know that hospital x can see our full chart here and will have access to any information needed to continue this care. We can also provide you with the contact information to speak to the team at hospital x. We know this is probably stressful or frustrating from your perspective, and we are sorry for that. Please let us know how we can make the transition any easier. "

Document in the Record

Patient or representative has been informed that hospitalization is still required but that a safe transfer has been planned. Patient or representative has been informed that the current treatment plan will be continued at the receiving hospital. The patient has been offered contact information for the receiving team.

If the patient has agreed to the transfer, document the agreement.

If there is no agreement by the patient or their representative, the documentation should reflect that the transfer is safe, necessary for level loading and is in compliance with Executive Order 202.79.

Sample Documentation for the Record

"Patient or representative has been informed that hospitalization is still required but that a safe transfer has been planned. Patient or representative has been informed that the current treatment plan will be continued at the receiving hospital. The patient has been offered contact information for the receiving team. Patient or representative has [agreed to transfer] OR [patient or representative has not agreed to transfer but patient's care team has determined transfer is safe, necessary for level loading and is therefore in compliance with Executive Order 202.79.]