

How To Prepare For And Facilitate An Involuntary Discharge

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Throughout the country, assisted living communities increasingly are facing a circumstance where for one reason or another, a resident must be discharged from the community. Although the reasons may vary, often it is a result of the community's inability to meet the level of care required for the resident, the resident poses a danger to himself or herself or others in the community, or the resident no longer can afford to live at the community.

Most states require a safe discharge, following adequate written notice to the resident or the responsible party (absent emergent circumstances). When there is no one capable of making the decision (either by incapacitation or when there is no guardian or agent for the resident) or the family is unwilling to transfer the resident (frequently the attorney-in-fact), then the assisted living community is left in a quandary. In that circumstance, the community must take the proper steps to bring about a safe discharge.

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