Challenging Involuntary Transfers and Discharges

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Importance of Challenging Involuntary Discharges and Transfers

- Ensures that a resident’s discharge and transfer rights are protected.
- Stops a resident from being forced to move to an unsafe environment.
- Prevents other residents’ rights from being violated.
Systemic Challenges of transfers and discharges

- Advocate for strong local laws outlining the process for transfers, discharges and relocations.
- Work with regulatory agencies to draft the laws and regulations.
- Ensure that the laws are implemented.
Educate residents, families, facilities, courts and other stakeholders.
Increase awareness of larger related issues such homelessness.
Emphasize the importance of discharge planning.

Legal Challenges to Involuntary Transfers/Discharges

- Be prepared to bring legal challenges to ensure the law is followed.

- Ensure legal counsel is available for individual representation of residents.
Impact of Challenges to Involuntary Transfers/Discharges

- Creates a clear and uniform structure for all transfers, discharges and relocations.
- Improves collaboration with regulatory agencies.
- Increases success in resolving contested cases without having to go to court or in some times even issue a notice.
Questions???