

**Subject: Provider Termination of Patient Care (Page 1 of 2)**

**Objective:**

- I. To ensure that Health Share/Tuality Health Alliance (THA) members receive adequate notification when an associated provider finds it necessary to terminate their provider-patient relationship.
- II. To ensure continuity of care as the provider-terminated member transitions to a new care provider.

**Policy:**

- I. THA is under contract with Health Share of Oregon to provide medical services to a population of Oregon Health Plan/Division of Medical Assistance Program (DMAP) members, herein referred to as patients. Under this contract, THA is required to provide such patients with access to ongoing and appropriate care. THA further follows the regulations and statements set forth below.
  - The American Medical Association Code of Medical Ethics:  
*Physicians have an obligation to support continuity of care for their patients. While physicians have the option of withdrawing from a case, they cannot do so without giving notice to the patient, the relatives or responsible friends sufficiently long in advance of withdrawal to permit another medical attendant to be secured.*
  - The applicable Patient Protection Act Statute (ORS 743.803(2d)):  
*All medical service contracts shall: (d) allow the provider to withdraw from the care of a patient when, in the medical judgment of the provider, it is in the best interest of the patient to do so.*
- II. The provider-patient relationship may be terminated through:
  - Mutual consent;
  - The patient's dismissal of the provider; or
  - The provider's dismissal of the patient.
- III. When a provider *intends* to withdraw from or terminate care of a patient who is in need of continuing care at that time, the provider must take the following steps:
  - Give reasonable notice of the *intent* to withdraw by notifying the patient's THA Case Manager, thus allowing time for development an action plan for provider-patient relationship alterations as agreeable to both the provider and the member;
  - When there isn't compliance to an action plan, the provider-patient relationship may be terminated – a thirty (30) day notice is required.

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- IV. The provider is required to send a written and signed notification to the patient upon termination of the patient's care. THA suggests that providers give written notice of the termination via mail by a certified, return receipt letter.
- Patients residing in nursing homes or otherwise incapacitated must have letters sent to the person acting on their behalf to make medical decisions.
  - Written notification of patient termination must also be submitted to THA, either to the appropriate Case Manager or to the THA Administrative Coordinator, who will notify the Case Manager.
- V. Providers should continue to meet the patient's medical needs during the 30 day time period following termination.
- If the basis for termination is a threat of dangerous behavior to other patients or staff, the period may be shortened to as little as one day, depending upon the seriousness of the threat. The provider must work with THA to ensure appropriate documentation is received to member's mental state and any or all attempts to coordinate behavioral needs with their mental health provider. In this situation, emergent care may be provided in the TCH Emergency Department.
- VI. Providers have a duty to provide emergent medical care to a patient within the 30 days after the patient is given written notice of the provider-patient relationship termination.
- VII. It is not necessary to indicate to the patient why the relationship is being terminated.
- VIII. The provider should request a release of records for the patient and forward pertinent records to the new provider if requested.

**References:** Health Share RAE Participation Agreement  
OAR 410-141-0080  
OAR 410-141-0160  
OMA Termination of Patient Care Policy  
THA Policy VI-6: Continuity of Care

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