§ 2803-m. Discharge of hospital patients to adult homes. (1) A patient about to be discharged as an inpatient from a hospital as defined in section twenty-eight hundred one of this article to an adult home, enriched housing program or residence for adults as defined in section two of the social services law, shall be referred only to such home, program or residence that is consistent with that patient's needs and that operates pursuant to section four hundred sixty of the social services law. No patient shall be directly referred to any facility that is on the "do not refer list" pursuant to subdivision fifteen of section four hundred sixty-d of the social services law; provided, however, that any patient who was a resident of an adult care facility at the time of his or her admission to the hospital shall be permitted to return to such adult care facility regardless of the status of its operating certificate.

(2) No patient about to be discharged as an inpatient from a hospital shall be referred to any adult home, enriched housing program or residence for adults, as defined in section two of the social services law, where the hospital has received a written notice pursuant to subdivision eleven of section four hundred sixty-d of the social services law that such home or residence is subject to enforcement actions by the department; provided, however, that any patient who was a resident of an adult care facility at the time of his or her admission to the hospital shall be permitted to return to such adult care facility regardless of any enforcement actions. Referrals may resume when such enforcement actions are resolved.