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| SUBJECT: ADVANCE DIRECTIVES | REFERENCE #10007 |
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PURPOSE:

- To provide an atmosphere of respect, caring and preservation of dignity related to a patient’s medical care decision making, and to ensure that each patient's ability and right to participate in the self-determination of care is maximized and respected and not compromised as a result of admission for care while at _____ Hospital.
- Additionally, to assure compliance with the Patient Self-Determination Act (PSDA) in such a manner as to expand the patient, staff and community knowledge base regarding advance directives and the process by which patient participation in medical decision making is carried out at this facility.

POLICY:

- _____ Hospital shall respect and encourage patient self-determination. Patients shall be encouraged and assisted to be active participants in the decision making process regarding their care through education, inquiry and assistance as requested.
- Patients shall be encouraged to communicate their desires in regard to advance directives to their significant others, to allow for guidance by significant others and healthcare providers in following the patient's wishes should the patient become incapacitated, rendering them unable to make decisions.
- _____ Hospital shall inform all patients/patient representatives of any limitations if the hospital cannot honor an advance directive on the basis of conscience.
 - A statement of limitation shall include, at a minimum:
 - Clarification of any difference between hospitalwide conscience objectives and those that may be raised by physicians
 - Identification of state legal authority permitting such an objection
 - Description of medical conditions or procedures affected by conscience objection

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- The existence of an advance directive, or lack thereof, shall **not** determine the patient's access to care, treatment and services.
- _____ Hospital shall ensure compliance with state law regarding advance directives.
- In an advance directive (or medical power of attorney), the patient may provide guidance as to his/her wishes in certain situations, or may delegate decision making to another individual as permitted by state law.
 - If such an individual has been selected by the patient, or if a person willing and able under applicable state law is available to make treatment decisions, relevant information should be provided to the representative so that informed healthcare decisions can be made for the patient.
 - However, as soon as the patient is able to be informed of his/her rights, this hospital shall provide that information to the patient.
- The advance directive shall be maintained _____ in the medical record.
- _____ Hospital shall educate appropriate staff regarding advance directives.

PROCEDURE:

- An inquiry shall be made by the Admitting Department during the admissions process of the patient, or if the patient is incapacitated, to the patient's significant other, as to whether or not the patient has completed an advance directive. _____ Hospital shall not condition the provision of care or otherwise discriminate against any individual based on whether or not the individual has executed an advance directive.
- A request of the patient/significant other to provide a copy of the advance directive for medical record entry shall be made by the Admitting Department during the admission process.

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- As part of the admission process the patient/significant other shall be provided with an information packet outlining the individual's rights to make decisions concerning medical care. The information packet provided shall include:
 - The right to accept or refuse medical or surgical treatment, even if the treatment is life-sustaining
 - Information concerning the Patient Self-Determination Act
 - _____ Hospital's mission and value statements and policies regarding refusal of medical treatment, including life-sustaining measures
 - That the existence of an advance directive, or lack thereof, will not determine the patient's right to care, treatment or services
 - Definitions of pertinent healthcare terminology as they apply to the Patient Self-Determination Act
 - Policy regarding the patient's right to voice a complaint related to advance directive requirements to the State Department of Health Services
 - Contact staff available to assist those interested in pursuing or making changes to the advance directive issue
 - Information regarding the PSDA will be provided to the patient upon each admission to _____ Hospital
- Admitting Department staff shall document in the medical record whether the patient has completed an advance directive and that information concerning advance directives has been given to the patient/significant other during the admission process.
- In the event that the patient bypasses the routine admissions process due to nature or severity of illness, and is admitted directly to the patient care units, the responsibility to inquire about advance directives and provide necessary information as outlined above, shall rest with the nursing staff. The Admitting Department shall notify the nursing staff of the need for advance directive follow-up.

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- Should the patient present as a repeat admission, with information obtained by the admitting group indicating there is an advance directive in the previous medical record, the nursing staff shall have the responsibility to review the existing advance directive with the patient/significant other to validate its current status. The medical record from the previous admission containing the advance directive shall be identified with a red divider labeled "advance directive".
- In the event the patient/significant other indicates that the previous advance directive does not accurately reflect the patient's wishes, a revised advance directive must be submitted and must meet all advance directive regulations. Any expression by the patient of a revision in previous advance directive desires shall be documented by the nursing staff in the nursing progress notes.
- When the patient states that he/she has an advance directive but did not bring it into the hospital, the patient shall be encouraged to ask a family member to bring it into the hospital.
 - _____ shall follow-up with the patient within _____ to secure a copy of the advance directive.
- To the extent that the patient/significant other requests additional information or further explanation regarding the PSDA or advance directives, referrals shall be made to Pastoral Care and/or Social Service/Discharge Planning for follow-up interaction with patient and significant others, as appropriate.
- Should the patient wish to formulate an advance directive while receiving services in this institution, the Social Service/Discharge Planning Department shall be contacted to assist the patient or refer the patient as necessary to accomplish the desire to formulate the directives.
- Should the patient wish to review or revise his/her advance directive, the Social Service/Discharge Planning Department shall be contacted to assist the patient, or refer the patient as necessary.
- There shall be availability of the Ethics Committee to discuss patient rights issues as needed, through the Medical Staff Office. All requests from patients/significant others, hospital staff and/or medical staff members to institute the Ethics Committee process shall be honored.

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- All follow-up education and interaction with the patient/significant other shall be documented in the medical record by the individual designated to interact with the patient/significant other regarding his/her concerns surrounding advance directives.
- In order to ensure that an opportunity for patient participation in medical decision making is maximized, and that care provided is consistent with patient values and directives, educational information about advance directives shall be provided.
_____ Hospital's policies, mission and value statements regarding advance directives and withholding of life-sustaining measures shall be provided to the medical, allied health professional and hospital staff on a periodic basis and as necessary. Information shall be provided through a collaborative effort with all disciplines via inservice format. as well as written newsletters, memorandums, orientation processes, annual personnel reviews and through the Advance Directive Task Force members.
- Cultural and religious beliefs may impact decisions related to the advance directive and should be considered and respected when end-of-life decisions are being presented.
- In order to assure that the community is served by this organization, education concerning advance directives and the PSDA shall be provided through community forums or written material made available at _____ Hospital.
- Pediatrics:
 - A determination of the child's legal and cognitive ability to participate in the development of the advance directive shall be made after a full understanding of the process is presented.
- Psychiatric Advance Directives (PADs):
 - A psychiatric advance directive shall allow the competent patient with a psychiatric disability the opportunity to stipulate the type of treatment preferred during an acute psychiatric response rendering the patient incompetent and unable to proclaim his/her wishes.
 - Check your state's Protection and Advocacy System for your state law and regulation governing PADs.

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- Outpatient Hospital Settings:
 - _____ Hospital shall honor advance directives in the following outpatient settings:

 - _____ Hospital shall provide information regarding advance directives to outpatients/families upon request and when warranted by the care, treatment or service provided by the hospital.
 - For those outpatients who request information regarding advance directives, staff shall refer the patient/family to Pastoral Care and/or Social Service.

REFERENCES:

- Protection and Advocacy System (state specific)
- National Alliance on Mental Illness (NAMI), <http://www.nami.org/>
- American Academy of Pediatrics Committee on Bioethics, *Communicating with Children and Families: From Everyday Interactions to Skill in Conveying Distressing Information*, Pediatrics 121(5):e1441-60, May 2008