

Department:

		New	Revised
Category:	Policy ()	()	()
	Procedure ()	()	()
	Regulation ()	()	()

Agency

Title: **ADVANCE DIRECTIVES**

Number:

Hospital recognizes its responsibility to provide ethical care, and to safeguard the personal dignity, respect, and cultural, psychosocial, and spiritual values of each patient. Advance Directives will be honored by the Hospital, as the Hospital is provided with these documents, or, in the absence of documentation, the patient informs the Hospital of the limitations and/or directives that these forms contain. Patients who do not have an Advance Directive will be offered the assistance of Pastoral Care or Social Service in completing them.

Definitions

- **Advance Directive** – a legal document completed by a competent adult to give directions about future health care or to designate another person(s) to make medical decisions in the event the individual loses decision-making capacity.

- **Living Will** – a legal document that gives directions for care if the declarant is ruled to be in a Terminal Condition or a Permanently Unconscious state.

- **Health Care Power of Attorney** (Durable Power of Attorney for Health Care) – a legal document whereby an agent/attorney-in-fact is appointed to give direction for medical care when the principal is unable to speak for his/herself.

- **Advance Directives other than State of Ohio approved** – The Hospital will honor valid Advance Directives that are other than State of Ohio approved within the limitations and provisions of Ohio Revised Code.

Effective Date:

Review Dates:

Department Head

V.P. Clinical Serv.

Chief of Staff
(if applicable)

President/CEO

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HOSPITAL

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- **DNR Request** – Do Not Resuscitate Orders are physician orders. All such requests should be directed to the patient's physician. For more information refer to Do Not Resuscitate – DNR-CC/DNR-CC-A. (House Wide Manual)

In-Patients and Out-Patients

Both in-patients and out-patients may provide a copy of their Advance Directives when seeking care at the Hospital. Patients receiving care at

Departments fall under the provisions of this policy. Signage is posted to alert outpatients that:

- The healthcare team will resuscitate unless otherwise directed by the patient
- A healthcare provider must be notified and provided with a copy of the Advance Directive
- The Hospital will provide information and assistance with writing an Advance Directive upon request

Patients who have Advance Directives are requested to bring forms with them when seeking care at _____ Hospital. When a patient brings the Advance Directive she/he is giving evidence that these forms are still valid and active. In the event that a patient does not bring the Advance Directive to the Hospital, the Hospital will:

- Request family to provide the forms as soon as possible during the patient's admission,
- Offer to assist the patient to complete new Advance Directive forms,
- Record the patient's wishes in the medical record.

It is the responsibility of patient/family to provide the Hospital with the patient's Advance Directive. The Hospital is unable to recognize the patient's wishes without this information.

Witnessing Advance Directives

The Hospital limits the witnessing of completed Advance Directives to State appointed Notaries Public who are not providing direct clinical care to the named patient, or two individuals who are not related to the patient by blood, marriage or adoption and are not hospital employees. The hospital employs several individuals who are Notaries Public.

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Revoking an Advance Directive

It is recognized that an Advance Directive represents the advance planning decision of a patient regarding the use of life sustaining treatment. In the event that a patient states to a physician, nurse, social worker, or chaplain her/his wish to revoke the previously completed Advance Directive the individual receiving that request will:

- Discuss that decision with the patient;
- Inform the patient's physician and immediate care providers of the patient's wish to revoke their Advance Directive;
- Document the patient's wishes and the ensuing discussion; and,
- Write "Revoked", date and time across the cover sheet and name page of the Living Will and/or Health Care Power of Attorney that is in the existing medical record

Role of an Agent/Attorney-in-fact appointed by a Health Care Power of Attorney

An agent/attorney-in-fact appointed by a Health Care Power of Attorney becomes active when the individual referred to as the principal (the patient) in this form loses decision-making capacity, or the principal chooses not to speak for his/herself. The agent/attorney-in-fact has specific rights, responsibilities and limitations as noted in the patient's Health Care Power of Attorney. The agent/attorney-in-fact is called upon to make substituted judgment.

Withdrawal/Withholding of Life Sustaining Treatment

Refer to "Withdrawal/Withholding Life Support for an Incompetent Patient" in the House Wide Manual.

Conflicting situations

If unresolved conflict exists regarding the application of an Advance Directive, or the patient's family raises conflicting issues regarding the application of such forms, refer to the Bioethics Advisory Committee.

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Refusal to Comply

- **Hospital** – Hospital is not obliged to provide, withdraw, or withhold treatment that it considers morally inappropriate. In such situations the Hospital will not prevent transfer of the referred to patient to another facility and will maintain care of the patient until transfer.
- **Physician** – A physician is not obliged to comply to the desires or requests expressed by an Advance Directive or by an agent/attorney-in-fact as a matter of conscience or for another reason. The physician shall not prevent the transfer of that patient to another physician or Hospital. The physician shall continue treatment of the patient until transferred.
- **Employee** – An employee of Hospital is not obliged to provide, withdraw, or withhold treatment that she/he finds exception to as a matter of conscience. If this person is unable/unwilling to comply they are to inform their supervisor.

Related Policies

- Withdrawal/Withholding of Life Support for an Incompetent Patient – House Wide Manual
- Do Not Resuscitate (DNR-CC/DNR-CC-A)