



ADVANCED DIRECTIVE

POLICY:

The Center shall provide each adult individual the choice to formulate Advance Directives with respect to the patient's rights of self-determination.

OBJECTIVE:

To enable this Center to protect each adult patient's right to participate in health care decision making to the maximum extent of his or her ability.

PROCEDURE:

1. The Center shall provide the patient, or as appropriate, the patient's representative in advance of the date of the procedure, with information concerning the Center's policies regarding the rights to make health care decisions and to formulate Advance Directives, and the way such decisions and directives will be implemented in the Center.
2. This Center shall provide upon request, written information describing:
 - a. An individual's rights under applicable statutes
 - b. Official state advance directive forms
2. The Center shall document in the individual's medical record whether or not the individual has executed an Advance Directive. For purposes of this policy, an Advance Directive means a written instruction that related to the provision of health care when the individual is incapacitated, such as a Durable Power of Attorney for Health Care, a Declaration pursuant to the National Death Act, or a Living Will.
3. This Center shall comply with applicable statutes and court decisions regarding Advanced Directives.
4. This Center shall not condition the provision of care or otherwise discriminate against an individual based on whether or not the individual has executed an Advance Directive.
5. This Center shall provide education to staff on issues that concern Advance Directives.
 - a. Educational information about Advance Directive and the Center's policy and procedure regarding Advance Directives will be provided to the medical and nursing staff.
6. For purposes of this policy, the following terms shall be interpreted in accordance with their respective definitions as set forth below:
 - a. Medical Decision Making: authorization for treatment, the withholding of treatment, or the withdrawing of treatment (including life-sustaining treatment) obtained from the patient or, in the event of the patient's incapacity, from the patient's surrogate decision maker
 - b. Life-Sustaining Treatment: any medical intervention, including the administration of fluids and nutrition by artificial means, that sustains life for a particular patient.
 - c. Advance Directive: a written instruction, such as a Living Will, Durable Power of Attorney for Health Care, or other documentary evidence recognized by the courts of this state, relating to the provision of medical care when the author is incapacitated.
 - d. Surrogate Decision Maker: an individual other than the patient to whom health care providers appropriately look for medical decision making regarding the patient's care when the patient is incapacitated. This individual may be formally appointed (e.g., by the patient in a Durable Power of Attorney for Health Care, or by a court in a conservatorship of guardianship proceedings) or, in the absence of a formal appointment, may be informally authorized by virtue of a relationship with the patient (e.g., the patient's next of kin or, in the absence of next of kin, close friend).
 - e. Incapacitated: a condition of the patient where the capacity to make informed decisions regarding care is temporarily lost (e.g., due to unconsciousness, being under the influence of mind-altering substances, or otherwise suffering from treatable mental disability), is permanently lost (e.g., irreversible coma, persistent vegetative state, or untreatable brain injury, rendering understanding by the patient impossible), or never existed (e.g., congenital retardation rendering understanding by the patient impossible or severe brain injury as a child).