PURPOSE

Park Place Surgical Hospital recognizes that all adults have the right to control decisions relating to choices concerning life sustaining treatments and circumstances in which such persons are diagnosed as having a terminal and irreversible condition.

DEFINITION

Advance Directive is defined as a written instruction, such as a living will or durable power of attorney for health care, recognized under State law (whether statutory or as recognized by the courts of the state), relating to the provision of health care when the individual is incapacitated.

The written declaration/advance directive must be signed by the declarant in the presence of two (2) witnesses, at least eighteen (18) years old, who are not related to the declarant by blood or marriage and cannot be entitled to any portion of the estate of the declarant should the declarant die.

The State of Louisiana recognizes Louisiana Physician Order for Scope of Treatment (LaPOST) which was approved by the Louisiana Legislature in 2010. This document, written in the format of a physician order, recognizes the right of an individual and his/her physician to execute a written physician order which directs healthcare providers regarding the care and treatment of the patient.

POLICY

Each patient, whether inpatient or outpatient, at Park Place Surgical Hospital has the right to formulate advance directive(s) and to have staff and practitioners comply with the advance directive(s) in accordance with Federal and State law, rules and regulations. If an individual is incapacitated or otherwise unable to communicate, Park Place Surgical Hospital may provide the advance directive information to the individual’s “family or surrogate (in the same manner that it issues other materials) to the family of the incapacitated individual or to a surrogate or other concerned persons in accordance with State law”

The explicit designation of a representative in the patient’s advance directive takes precedence over any non-designated relationship and continues throughout that patient’s stay (inpatient or
outpatient) unless the patient ceases to be incapacitated and expressly withdraws the designation, either orally or in writing.

Park Place Surgical Hospital will, upon presentation of the document, provide the designated individual the information required to make informed decisions about the patient’s care when a patient who is incapacitated has executed an advance directive designating a particular individual to make medical decisions for him/her when incapacitated and shall seek the consent of the patient’s representative when informed consent is required for a care decision.

Park Place Surgical Hospital staff will note the presence or absence of advance directive(s) on the patient’s medical record. In the event that a patient goes into respiratory or cardiac arrest, the hospital staff should seek to transfer the patient to a higher level of care, unless the patient or his/her representative has provided the hospital with a living will or LaPOST which clearly indicates otherwise.

If the patient is not in respiratory or cardiac arrest but is clearly in need of a higher level of care, the hospital staff shall initiate the transfer to a higher level of care. If the patient or his/her representative has provided an advance directive for the patient, a copy of the advance directive, LaPOST or Power of Attorney should be sent with the patient when the patient is transferred to the higher level of care. Ambulance personnel should be made aware of this as well.

**PROCEDURE**

Each patient shall receive information concerning the right to accept or refuse medical care and the right to formulate advance directives.

Patients will be asked about their advance directive status during the pre-admission/admission process.

A sticker identifying that the patient has executed an advance directive will be placed on the front of the patient’s medical record.

The patient or his/her representative is responsible for notifying the attending physician and hospital that a declaration has been made, and for giving the physician and hospital a copy of such declaration. This advance directive shall become a part of the patient’s hospital chart. Upon admission and/or day of scheduled procedure, if patient medical record indicates that patient has executed an advance directive, Park Place Surgical Hospital staff will review chart for advance directive document. If advance directive document is not found in medical record, staff will ask patient if they have brought advance directive document with them. If patient provides copy of advance directive, it is placed in medical record and documented as such. If patient does not have copy of advance directive document, staff will document as such in the medical record.

Hospital staff shall notify the attending physician of the presence of an advance directive.
The hospital staff will comply with the physician’s orders, unless there is clear evidence available to the hospital personnel that such orders are inconsistent with the patient’s declaration or are illegal.

If hospital staff has a concern regarding the advance directive, hospital personnel shall promptly notify the physician. If after discussion, the hospital staff continues to have concern(s), the hospital Medical Director shall be called promptly to resolve the conflict.

If the declaration is orally or non-verbally in the presence of hospital staff and/or the physician, the physician should promptly note in the progress notes the reason the declarant could not make a written declaration, and shall make the declarant’s oral declaration a part of the medical record.

An oral or nonverbal declaration may be made by an adult in the presence of two witnesses who are not related to the patient and who are not entitled to inherit from patient’s estate upon his/her death subsequent to the diagnosis of a terminal or irreversible condition.

The declaration for a terminally ill minor patient shall be the following individuals in the following order of priority:

- Adult spouse, not judicially separated
- Parent or legal guardian of the minor*

*In the event that the hospital has notice that one parent does not agree with the decision, then hospital staff shall contact the Administrator for further instruction.

Any physician who refuses to comply with the declaration of a patient shall make a reasonable effort to transfer the patient to another physician.

This organization does not condition the provision of care or discriminate against an individual, based on whether or not the individual has executed an advance directive.

EXCEPTION

None

REVISION HISTORY

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<thead>
<tr>
<th>APPROVAL DATE OF REVISION</th>
<th>DESCRIPTION OF REVISION</th>
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<tbody>
<tr>
<td>07/08/14</td>
<td>Addition under Procedure - Upon admission and/or day of scheduled procedure, if patient medical record indicates that patient has executed an advance directive, Park Place Surgical Hospital staff will review chart for advance directive document. If advance directive document is not found in medical record, staff will ask patient if they have brought advance directive document with them. If patient provides copy of advance directive, it is placed in medical record and documented as such. If patient does not have copy of advance directive document, staff will document as such in the medical record.</td>
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<td>11/19/2014</td>
<td>Change under Definition – defines advance directive, who may...</td>
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<td>witness the signing of advance directive and statement defining LaPOST</td>
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<tr>
<td>Change under Policy – Park Place Surgical Hospital acknowledges patient right to formulate advance directive and to have staff and practitioners comply with advance directive. Explicit designation of named representative in advance directive takes precedence over non designated relationship and upon presentation of document, representative will be given information requires to make informed decision regarding patient care</td>
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