

Practice Policy & Guidelines

Policy: Advanced Directives	Developed by:	Approved By:
Updated:	Signature:	Signature:

PURPOSE:

The purpose of this policy is to provide an atmosphere of respect and caring and to ensure that each patient and family's ability and right to participate in medical decision-making is maximized. Additionally, the purpose of this policy is to assure compliance with the Patient Self-Determination Act (PSDA) in such a manner as to expand the patient, personnel and community knowledge base regarding advance directives and the process by which patient/family participation in medical decision-making is carried out at this practice.

GOALS AND OBJECTIVES:

The practice conducts comprehensive health assessments that may include advance care planning (not required for pediatric practices).

DETAILS:

It is the policy of (Insert Practice Name) to respect and encourage patient self-determination. Patients will be encouraged and assisted to be active participants in the decision-making process regarding their care through education, inquiry and assistance as requested. Patients will be encouraged to communicate their desires in regard to advance directives to their significant others, to allow for guidance of significant others and health care providers in following the patient's wishes should the patient become incapacitated, rendering them unable to make decisions.

Critical Definitions

- An Advance Directive may be a written document or an oral direction in which an individual either states choices for medical treatment or designates who should make treatment choices if the person should lose decision-making capacity. The term can also include oral statements by the patient.
- The Living Will is a document in which any competent individual at least 18 years old can stipulate the kind of death delaying procedures the individual wants or does not want if the individual becomes terminally ill and incompetent.
- The Durable Power of Attorney for Health Care is often a document in which any competent individual at least 18 years old names someone else (the "Agent") to make decisions in the event the individual becomes unable to make them for him/herself.

- The Declaration for Mental Health Treatment is a document in which any competent individual at least 18 years old, names an “Attorney in Fact” who will make limited mental health decisions in the event the individual becomes unable to make these decisions for himself/herself. Declarations are only valid for three (3) years from the date of execution.
- A person is considered an adult if he or she is eighteen (18)+ years of age or older. In determining whether a minor is emancipated, consideration should be given to whether the minor is gainfully employed, married, living independent of parents or guardian, and possesses sufficient maturity to understand and appreciate the nature of his or her condition and the proposed treatment, and the alternatives to and risks inherent in the treatment or termination of treatment.
- An Agent is a person appointed to make decisions for someone else, as in a Durable Power of Attorney for Health Care. Any person at least 18 years old who has not been declared incompetent and who is able to give intelligent consideration to health care matters may act as a health care agent. Neither the individual’s personal physician nor any other health care provider (such as a nurse) who is providing health care to that individual may act as his/her health care agent. The Statutory Form Power of Attorney for Health Care permits an individual to name successor agents who may step in and make decisions if their first choice is unable to act. However, they may not have more than one person serving as their agent at the same time.
- The term Significant Other includes a patient’s spouse, other family member, close friend or live-in companion.
- An Agency is the relationship between a Principal and his/her Agent.
- A Death Delaying Procedure is any medical procedure or intervention which, in the judgment of the attending physician, would only serve to postpone moment of death. In appropriate circumstances, death delaying procedures may include assisted ventilation, artificial kidney treatments, intravenous feeding or blood transfusions, tube feeding and other procedures that serve only to delay death.

MONITORING:

The practice administrator monitors compliance to this policy by conducting a sample retrospective analysis of patient charts and documentation completion times every 6 months. This data is shared with providers.

This policy shall be reviewed at least every 2 years.

Approved Date: ____/____/____

APPROVALS:

Physician Partner: _____

Date: ____/____/____

Administrative Partner: _____

Date: ____/____/____

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