

Liberty Medical Center Manual of Policies and Procedure

SUBJECT: Compliance with Advanced Directives

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POLICY

Liberty Medical Center patients (inpatient and outpatient) have the right to formulate, at the individual's option, advanced directives and to have hospital staff and practitioners who provide care in the hospital comply with these directives in accordance with state law:

- Provide written notice of Liberty Medical Center policies regarding the implementation of patients' rights to make decisions concerning medical care and the right to formulate advanced directives
- Notice of the facility's policy regarding compliance with advance directives will be provided at the time an individual is admitted as an inpatient
- Provide notice if Liberty Medical Center cannot implement an advance directive on the basis of conscience
- Document in the patient's medical record that advance directive policies were issued
- Document in a prominent part of the patient's medical record whether or not the patient has executed an advance directive
- Not condition the provision of care or otherwise discriminate against an individual based on whether or not the individual has executed an advance directive
- Will inform individuals that complaints concerning the advance directive requirements may be filed with the State survey and certification agency
- Provide for the education of staff concerning its policies and procedures on advance directives
- Provide community education regarding advance directives and document its efforts.

PROCEDURE/COMMENT

When a patient who is incapacitated has executed an advance directive designating a particular individual to make medical decisions for him/her when incapacitated, the facility will, when presented with the document, provide the designated individual the information required to make informed decisions about the patient's care. The facility will also seek the consent of the patient's representative when informed consent is required for a care decision.

At the time of admission to the emergency room, inpatient or observation, an employee completes the Important Information for LMC Patients form with the patient or their representative.

Utilizing this form provides patient with information regarding patient rights, including:

- The right to participate in the planning and delivery of care
- The right to complete advance directives and have LMC staff comply with these directives
- The right to be informed of his/her personal health, to make informed decisions regarding care and the right to refuse treatment

This form also provides LMC staff with information from the patient including:

- Existing advanced directives
- Who is named as medical representative.

The completed and signed form is scanned into the patient's medical record and a copy is provided to the patient. LMC policy on Advanced Directives is also provided with information that complaints concerning the advance directive requirements may be filed with the State survey and certification agency.

Liberty Medical Center advance directive policies are also included in the Admission Agreement which is reviewed and discussed with the patient or their representative at the time of admission to inpatient or swing bed. Once the Admission Agreement is completed and signed a copy is issued to the patient and the Admission Agreement is scanned into the patient's medical record.

The facility will not discriminate or condition care provided to a patient based on whether or not the individual has executed an advanced directive.

If the facility cannot comply with the patient's advance directive on the basis of conscience, patient will be informed by the medical provider and arrangements will be made to transfer the patient to a facility that will comply with the patient's wishes.

Consideration will also be given to psychiatric advance directives in developing a plan of care and treatment when indicated (Montana Code Annotated 2015 Title 53 Part 13. Mental Health Care Advance Directives).

Facility provides education of staff concerning policies, procedures and patient's right to formulate advanced directives at employee assembly and as needed.

Facility will provide information and support to the community regarding advance directives and will document its efforts.