

Advance Directives

Federal Regulations: 418.52(a), 489.102	Effective Date: February 2014
State Regulations: CA Article 6, Section 6.2	Revision Date(s):

PURPOSE: To assure the Patient Self-Determination Act is implemented according to state and Federal Regulations. To support a patient's right to formulate an advance directive.

POLICY: Hospice complies with requirements to inform and distribute written information on advance directives. The organization recognizes that all persons have a fundamental right to make decisions relating to their own medical treatment, including the right to accept or refuse medical treatment. Hospice provides information to patients/representatives, employees, volunteers and the community regarding advance directives. Hospice does not condition admission or otherwise discriminate against a patient based on whether or not the patient has executed an advance directive. Advance directives are based upon state and Federal regulations. Hospice will honor the patient's advance directives if known.

DEFINITION:

Advance directive means "a written instruction such as a living will of durable power of attorney for health care recognized under State law, relating to the provision of health care when the individual is incapacitated".

PROCEDURE:

- 1) Prior to or upon admission, Hospice provides written information to patients regarding:
 - a) State law on advance directives and
 - b) Hospice policies regarding the implementation of such rights
 - c) Right to file a complaint with the state survey and certification agency.
- 2) Hospice does not limit the implementation of an advance directive on the basis of conscience.
- 3) During the admission process, staff document in the clinical record presence or absence of advance directives and obtain a copy as possible.
- 4) If the patient does not have an advance directive or wishes to change his/her advance directive, Hospice assists in developing or revising the advance directive.
- 5) When an advance directive is executed or revised after admission, staff document this change in the clinical record and obtain a copy as possible.
- 6) All employees and volunteers are oriented on policies and procedures regarding advance directives.
- 7) Hospice provides community education concerning advance directives.