ALLOW NATURAL DEATH/WITHHOLDING AND/OR WITHDRAWING
LIFE-SUSTAINING TREATMENT/
NON-BENEFICIAL CARE AND RESUSCITATION POLICY

PURPOSE
To specify the parameters within which decisions regarding the withholding and/or withdrawing of life-sustaining treatment/non beneficial care and/or no initiation of cardiopulmonary resuscitation (CPR) shall be made.

SUPPORTIVE DATA

• It is the policy of Odessa Memorial Healthcare Center to support a patient's right to self-determine life closure by respecting the free and informed judgment made by a competent adult patient concerning the withdrawal of life-sustaining procedures while administering supportive care appropriate to the patient's needs to ensure patient's comfort and dignity consistent with OMHC mission to protect human life and respect human dignity through a just system of health care. Supportive care includes emotional and spiritual support, nutrition, hydration, oxygen, hygiene, and temperature regulation as needed. Medication to maintain comfort will be continued or initiated. Other treatments may be used with the recommendation of the healthcare provider and the agreement of the patient or family/surrogate decision-maker.

• It is the policy of OMHC to initiate Advanced Cardiac Life Support (ACLS) for all patients who suffer a cardiac and/or respiratory arrest unless there is a written order by the healthcare provider (as defined by the Medical Staff By-Laws) to the contrary. ACLS includes, but is not limited to, immediate recognition of sudden cardiac and/or respiratory arrest, activation of emergency response (i.e., Code Blue), early performance of high quality CPR (compressions, airway, ventilation), identification and treatment of rhythms according to ACLS algorithms and correction of reversible causes.

• It is also the policy of OMHC facilities that no person is obligated to receive life-sustaining treatment when the burdens of such treatment are greater than the benefits that can reasonably be expected. Life-sustaining treatment may be withheld/withdrawn when there is a terminal condition or a state of permanent unconsciousness.

• Physician Orders for Life Sustaining Treatment
• Organ Tissue and Eye Donation Policy
• Consents -Informed
• Code Status Orders are utilized as the single source document for a patient's code status.
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SUPPORTIVE DATA - continued

- If a Physician Order for Life Sustaining Treatment (POLST) form is identified by the LN, notify the MD.
- Obtain appropriate code status order.
- Original POLST form will be placed in the patient/resident chart on admission. Upon discharge, it will be returned to the patient/resident.

DEFINITIONS:

Advance Directive - A Living Will or Durable Power of Attorney for Health Care written or executed in accord with the laws of the State of Washington.

Code Status - A decision whether ACLS resuscitation will be attempted or not, if a patient suffers from cardiac and/or respiratory arrest. See POLST

Durable Power Of Attorney For Health Care: A document authorizing a person to provide informed consent for health decisions on behalf of a qualified patient.

Life-Sustaining Treatment - Any medical or surgical procedure or intervention that, when administered to a qualified patient, will serve only to prolong the process of dying or to maintain the patient in a state of permanent unconsciousness. The artificial provision of nutrition and hydration is included as life-sustaining treatment if specified by the physician.

Permanent Unconsciousness - A medical condition that has been diagnosed in accordance with currently accepted medical standards and with reasonable medical certainty as total and irreversible loss of consciousness and capacity for interaction with the environment (includes a persistent vegetative state and irreversible coma).

POLST-The POLST Form is a Physician's order regarding Life sustaining treatment, sanctioned by the Washington State Department of Health, which outlines a patient's wishes for End of Life care. The form is a physician's order signed by both the physician and the patient or the patient's surrogate decision-maker outside the hospital.

Qualified Patient - One who has executed a Durable Power of Attorney for Health Care and who has been determined to be in a terminal condition or in a state of permanent unconsciousness.
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DEFINITIONS - continued

**Surrogate Decision-Maker** - The following classes of persons, in order of priority, may be surrogate decision-makers if no individual has been specified as Durable Power of Attorney for Health Care:

1. Patient's legal guardian
2. Patient's spouse
3. Patient's children (adopted children may consent but not step-children)
4. Adult Children
5. Patient's parent
6. Patient's adult brother or sister

**Terminal Condition** - An incurable and irreversible medical condition in an advanced state which will, in the opinion of the healthcare provider and a reasonable degree of medical certainty, result in death regardless of the continued application of life-sustaining treatment.

**Non-Beneficial Care** - An action, intervention or procedure that might be physiologically effective in a given case but cannot benefit the patient no matter how often it is repeated.

**Unemancipated Minor**: Any person who is less than 18 years old, not married to a person 18 years of age or older, and not otherwise emancipated as defined by a court having jurisdiction (RCW 26.28.020).

CONTENT

PATIENTS CAPABLE OF CONSENTING TO OR REFUSING TREATMENT

1. A conscious adult patient capable of consenting may request that specific, medically recommended care and treatment, including life-sustaining treatment, be withheld and/or withdrawn, as well as having the authority to make the decision regarding resuscitation.

2. The patient’s healthcare provider (Physician or Allied Health Provider credentialed by the OMHC Medical Staff), as well as other appropriate OMHC personnel should thoroughly explore the decisions with the patient, pointing out the probable consequences of the indicated choice. If, after the above disclosures, the patient remains firm in his/her decision, the healthcare provider is required to respect such instructions (see #20).
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CONTENT

3. The healthcare provider shall document the following items in the patient's medical record:
   A. Factors supporting the patient's capacity to give informed consent or refusal,
   B. Disclosure to the patient of relevant risks and alternative treatments,
   C. Disclosure to the patient of the medical situation supporting the code status order, as appropriate,
   D. The patient's ability to comprehend the nature and content of the discussion, especially the possible and/or likely consequences of withholding and/or withdrawing life-sustaining treatment, and
   E. The patient's decision.

4. The healthcare provider shall write the orders necessary to ensure compliance with the patient's decision.

PATIENTS INCAPABLE OF CONSENTING TO OR REFUSING TREATMENT

5. Patients lacking decision-making capacity have the same rights concerning treatment, including life-sustaining treatment, as do conscious adults presently capable of consenting to or refusing treatment.

6. If an adult patient, when conscious and capable of consenting to or refusing life-sustaining treatment, clearly and verifiably expressed an informed desire regarding the provision of specific life-sustaining treatment, the patient's last conscious expression shall be controlling unless the patient's medical condition has changed significantly from that foreseen at the time the conscious patient expressed his/her desire or there is conflict with state law.
   A. Evidence of a patient's clearly and verifiably expressed desires may consist of a Durable Power of Attorney for Health Care, or written or oral expressions made to his/her healthcare provider, surrogate decision-maker (see definition), a member of the clergy or others close to the patient. Oral expressions must be substantiated by another source, and family members must agree that the evidence does represent the will of the patient.
   B. If there is any question about conflict of interest, or if there is significant disagreement over the reliability of the evidence, the healthcare provider will institute the appropriate conflict resolution mechanism in accordance with #12 and #13.

7. If a qualified patient has executed a Durable Power of Attorney for Health Care, or in the case of a patient incapable of decision-making, the healthcare provider may arrange for an examination of the patient by a second provider for confirmation of the diagnosis.
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CONTENT (Continued)

8. If a patient is presently incapable of consenting to or refusing treatment and has not previously spoken for him/herself, the patient's healthcare provider shall consult with the patient's surrogate decision-maker regarding appropriate treatment (see #10 below). If the patient's surrogate decision-maker requests that specific medically recommended care and treatment, including life-sustaining treatment be withheld and/or withdrawn, the healthcare provider is to follow the procedure outlined in #1, #2 and #3, utilizing the guidelines in #12 and #13 below, should disagreement persist.

9. Decisions concerning the treatment of an unemancipated minor may be made by his/her legal guardian, the parent with legal custody, a natural parent, or an adult sister or brother, in the order described (see also Consent – Informed).

10. Decisions concerning treatment of an adult with a court-appointed guardian shall be made by his/her legal guardian.

11. Decisions concerning the treatment of an unconscious or comatose adult or of an adult determined to be presently incapable of consenting to or refusing treatment may be made by his/her legal guardian or surrogate decision-maker, in the order described. When no individual is known who can provide a legitimate surrogate, consent, or refusal for a patient lacking the capacity to make treatment decisions for him/herself, the healthcare provider shall consult with the OMHC Social Services and Administration.

CONFLICT RESOLUTION

12. In some situations the medical decision regarding appropriate care and the desires of the patient or surrogate decision-maker may not be in agreement. When that occurs should consider involving other staff resources as well as appropriate medical consultations.

13. THE FOLLOWING DISAGreements SHOULD BE REFERRED TO THE ATTENDING PHYSICIAN, THE PRIMARY CARE PHYSICIAN, AND ADMINISTRATION. APPROPRIATE ADMINISTRATIVE OR LEGAL CONSULTATION SHOULD BE SOUGHT AS NECESSARY.

A. A disagreement that seriously compromises the healthcare provider's sense of ethical responsibility in treating the patient.
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CONTENT (Continued)

B. A request from the surrogate decision-maker to withhold and/or withdraw specific treatment when that course will result in the withholding or withdrawing life-sustaining treatment from a patient incapable of deciding for him/herself AND it is the provider's judgment that administering or continuing such treatment is appropriate.

SPECIFIC PROVIDER AND NURSE RESPONSIBILITIES

14. It is important that the patient's family and/or surrogate decision-maker be kept informed of the patient's condition, prognosis, and treatment plans. It is the responsibility of both the providers and the nurses to communicate fully with each other as well as with the surrogate decision-maker when decisions about life-sustaining treatment become necessary. Support and counseling should also be arranged for the patient and family/surrogate decision maker, as appropriate.

15. When it becomes apparent that specific life-sustaining treatment should not be initiated, or should be terminated, the patient and the family/surrogate decision-maker should be counseled and provided emotional and spiritual support. Reassurance should be given that care and treatment appropriate to the patient's condition will continue to be administered.

16. Once agreement is reached to withhold and/or withdraw life-sustaining treatment, appropriate orders and documentation must be documented in the patient's medical record. RESUSCITATIVE MEASURES WILL BE AUTOMATICALLY INITIATED UNLESS THERE ARE DOCUMENTED ORDERS BY THE PROVIDER TO THE CONTRARY.

17. When the healthcare provider determines that a patient's condition is such that resuscitation should not be initiated if cardiac and/or respiratory arrest occurs, the healthcare provider shall discuss the situation with the patient or family/surrogate decision-maker. This discussion and subsequent decision shall be documented in the medical record.

In exceptional circumstances, the healthcare provider may verbally or via telephone order the code status, other than a full code, stating that he/she has discussed the situation with the patient or family/surrogate decision-maker. Two licensed nurses must hear and verify the order and document code order. The healthcare provider must sign the order within twenty-four (24) hours. The exceptional circumstances, the decision, and the subsequent decisions shall be documented in provider's progress notes.

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CONTENT (Continued)

SPECIFIC PROVIDER AND NURSE RESPONSIBILITIES (Continued)

19. If a code status, other than a full code, is agreed upon, the medical and nursing staff shall continue to provide appropriate supportive care. The POLST form must be signed by the healthcare provider.

20. IDENTIFICATION CODE STATUS: Once the code status order is documented, the LN is responsible to incorporate the status into the patient’s plan of care.

21. The healthcare provider's documentation in the patient’s medical record must support the medical advisability of withholding or withdrawing life-sustaining treatment and be consistent with the criteria set forth in #33 (organ donation).

22. An order to withhold or withdraw life-sustaining treatment is NOT to be construed as an order to diminish other medical and nursing care appropriate to the patient. Both the healthcare provider and the nurses are responsible for assuring that appropriate patient care measures flow from the decision.

23. When an order to withhold or withdraw life-sustaining treatment is written by a provider it must be accompanied by a progress note documenting the healthcare provider's knowledge of and agreement with the decision. In the absence of the healthcare provider, the covering physician should be notified.

24. The healthcare provider shall review decisions to withhold life-sustaining treatment on a regular basis (at least every 48 hours) while the patient is hospitalized to determine the continuing appropriateness of such treatment.

25. When a patient or family/surrogate decision-maker wishes to modify a code status, the order is automatically canceled at the time of the request and the healthcare provider is immediately notified. The healthcare provider shall document the revocation and all pertinent discussions in the provider progress notes and order sheet. A registered nurse will also document pertinent discussions with the patient, family/surrogate decision-maker in the nursing progress notes.
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CONTENT (Continued)

SPECIFIC PROVIDER AND NURSE RESPONSIBILITIES (Continued)

26. The medical care of the patient is directed by the healthcare provider, who is not obligated to provide care that he/she feels may be of greater harm or risk to the patient than the possible benefits to be expected. If, after discussion and consultation, an healthcare provider cannot in good conscience comply with the wishes of the patient or surrogate decision-maker, the provider shall make every reasonable effort to transfer the care of the patient to another designated provider.

27. Staff members possessing ethical or religious beliefs conflicting with the withholding and/or withdrawing of life-sustaining treatment shall not be obligated to care for the patient after first assuring that care is transferred to another provider.

28. The ORIGINAL ORDERS ARE BINDING UNLESS the patient, family/surrogate decision-maker and healthcare provider agree to alter them for the duration of any interventional surgical, medical or radiological procedures.

29. Providers should inform their patients, family/surrogate decision-maker that anesthesia itself can induce significant temporary cardiopulmonary compromise. For that reason code status may be desirable for certain surgical procedures. The anesthesiologist and surgeon shall discuss the specific anesthesia risks with the patient, family/surrogate decision-maker preoperatively to ascertain whether the procedure can reasonably be undertaken with existing code status order or whether modification of the order is necessary.

30. If the patient or family/surrogate decision-maker and providers agree to change existing orders, ALL CHANGES MUST BE PRECISELY STATED IN THE PATIENT’S MEDICAL RECORD, including the onset and period for which the new orders are to be effective. An explanatory note shall be written in provider progress notes at the time of the order.
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31. The orders must be reviewed at the end of the stated period to determine whether revision to previous orders or new orders are necessary. Again, all changes shall be documented as new orders and all decision-making shall include the patient or family/surrogate decision-maker.

RELATED ISSUES

32. DETERMINATION OF BRAIN DEATH: When a determination of brain death is made, the patient shall be pronounced dead. Life-sustaining treatment will be removed at that time after appropriate support and counseling for the family/surrogate decision-maker has been arranged.

33. ORGAN DONATION: In the event of organ donation, life-sustaining treatment will continue and be subsequently discontinued according to the policy on "Organ Donation". Every effort will be made to assist the family/surrogate decision-maker through the grieving process and to distinguish brain death from permanent unconsciousness.

34. PREGNANCY: Life-sustaining treatment will be provided to pregnant women except when it will not permit the continuing development and live birth of the child, will be physically harmful to the mother, or would cause pain to the mother that could not be alleviated by medication. A pregnancy test is required only if the provider has reason to believe the woman is pregnant.