

Advanced Directives

Presented by:
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Disclosures

- I do not have any conflicts of interest or financial disclosures



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Advanced Directives Include:

- Medical Power of Attorney (MPOA)
- Directive to Physicians (sometimes called Living Will)
- Directive for Mental Health Treatment
- Out of Hospital DNR (OOHDNR)
- Five Wishes



Medical Power of Attorney

- Patient decides who will make MEDICAL decisions if they lack capacity at a future time
- Do not confuse with Durable Power of Attorney
- Do not confuse with DNR
- Only applies when patient lacks capacity
- Once a patient lacks capacity decision making falls to next of kin (urgent vs important)



Directive to Physicians and Family

- This is a guide for the MPOA to follow
- This is a gift for family/decision makers
- Do not confuse with DNR
- Only applies when patient lacks capacity



Questions?

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Five Wishes & Out-of-Hospital Do-Not-Resuscitate

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What is “Five Wishes”?

5 Wishes is a living will that talks about your personal, emotional and spiritual needs as well as your medical wishes



Five Wishes

- 5 Wishes allows you to:
 - Choose the person you want to make health care decisions for you if you are not able to make them for yourself
 - Let's you say exactly how you wish to be treated if you get seriously ill



Five Wishes

- Video



Five Wishes

- While Five Wishes does not meet the technical requirements in Texas, many people choose to complete Five Wishes along with recognized legal forms
- Some find that Five Wishes helps them express all that they want and provides a helpful guide to family members, friends, caregivers and doctors



What is an OOHDNR?

The Out-of-Hospital Do-Not-Resuscitate Order allows patients to direct healthcare professionals in the out-of-hospital setting to withhold or withdraw specific life-sustaining treatment in the event of a respiratory or cardiac arrest



OOHDNR

- A OOHDNR is appropriate for any person who does not wish to undergo life sustaining treatment in the event of cardiac or respiratory arrest
- OOHDNR permits
 - You to refuse emergency treatment in the event that EMS services are called
 - Indicates your treatment preferences if you are admitted to the ER AND you are mentally and physically unable to make or communicate your own choice regarding resuscitation



What is an out-of-hospital setting?

- Physicians' offices
- Outpatient clinics
- Long-term care facilities
- Inpatient hospice facilities
- Emergency Departments
- Vehicles during transport
- Private homes



Who is a healthcare professional?

- Physicians, nurses, physician assistants and emergency medical services personnel, and, unless the context requires otherwise, includes hospital emergency department personnel HSC§166.081(5)



What life-sustaining treatments are prohibited?

- Cardiopulmonary resuscitation
- Transcutaneous cardiac pacing
- Defibrillation
- Advanced airway management
- Artificial ventilation



Can you clarify?

- Does this mean that there are no comfort or palliative measures?
 - No, comfort measures are specifically allowed



Completing a OOHDNR

- Is the form available in Spanish or other languages?
 - No, but the instructions for the form are available in Spanish
- Can a NPP sign the physician's statement?
 - No, only the attending physician can sign this section



Completing a OOHDNR

- Does the form have to be notarized?
 - Witness or notary signatures are **not** required when two physicians execute the order
 - Optionally, a competent adult person, guardian, agent, proxy or qualified relative may sign the OOHDNR in the presence of a notary instead of two qualified witness



Completing a OOHDNR

- Who can serve as a witness?
 - Must be competent adults, who have witnessed the competent adult or person's authorized representatives making his/her signature
 - At least one (1) of the witnesses must not:
 - Be designated by the person to make a treatment decision
 - Be related to the person by blood or marriage
 - Be entitled to any part of the person's estate
 - Have a claim against any part of the person's estate
 - Be the attending physician
 - Be an employee of the attending physician
 - Be an employee of a health care facility in which the person is a patient if the employee is providing direct patient care or is an officer, director, partner, or business office employee of the facility or any parent organization



Communicating an OOHDNR

- Is a copy of the form acceptable
 - Yes
- Does an image or photo on a cell phone of an entire OOHDNR constitute a “copy”?
 - Texas Health and Safety code does not allow this as an acceptable substitute
- What happens if the patient is transported by EMS?
 - A copy of the form or device **must** accompany the patient



OOHDNR & EMS

- What if EMS begins treatment and is then presented with the form?
 - After verifying the validity and correctness of the form, EMS should cease resuscitation efforts
- What happens if the form is not filled out correctly or EMS had doubts about any of the information?
 - Health professionals can refuse to honor DNR if they think:
 - The patient is pregnant
 - There are unnatural or suspicious circumstances surrounding the death
 - The form is not filled out completely and correctly



OOHDNR & EMS

- Does a person who wears a bracelet or necklace (called a device in the rules) have to also carry the form with them?
 - The rules state that a DNR device shall be honored in lieu of a DNR form



Points to Remember

- Any adult person who is capable of making and communicating informed health care decisions can obtain and complete an OOHDNR order
- To show that you have an OOHDNR, you must have the original or a copy of your form with you or wear an approved ID necklace or bracelet



Points to Remember

You may cancel the OOHDNR at any time



Questions?

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