

HEALTH CARE DIRECTIVES

PURPOSE

To outline the surgery center's policy regarding health care directives including that it is the surgery center's policy to resuscitate ALL patients until care can be transferred to an acute care facility.

POLICY

All patients undergoing surgery at the surgery center will be notified in advance of their procedure regarding their rights under state law to make decisions concerning medical care, including the right to accept or refuse medical or surgical treatment, and to formulate advance directives.

The surgery center complies with the MN Department of Health Statutes regarding healthcare directives, and implements standards established by Congress in the Patient Self-Determination Act of 1990. Additionally, the surgery center complies with the Center for Medicare Conditions for Coverage for Ambulatory Surgery Centers chapter 416.50(2) regarding patient rights and advance directives. MN Statutes 145B Living Wills and MN Statutes 145C Health Care Directives will be used as a reference if interpretation of this policy becomes necessary. In accordance with MN Statutes 145C.12 subd.1, the ASC will not require that a patient complete an Advance Health Care Directive in order to receive care or treatment at this facility.

PROCEDURE

1. Upon admission to the surgery center it will be documented in the legal record whether or not the patient has executed an advance health care directive.
 - a. A copy of the advance health care directive will be incorporated into the patient's legal medical record at the surgery center, as applicable.
 - b. The patient's surgeon and anesthesiologist will be notified if such a directive is presented. The attending surgeon and anesthesiologist will meet with the patient, and discuss in detail the extent of the principal's wishes as they may relate to the presented Health Care Directive. Medical orders will be written and implemented when appropriate.
 - c. In the event that the Physician and/or facility is not willing or unable to comply with the patient's Health Care Directive, the patient and/or family will be notified and an effort will be made to transfer the patient's care to another Physician and facility who are willing and able to follow the patient's wishes.
2. A copy of this facility's policy concerning advance directives, a description of applicable MN state laws, and copies of Health Care Directive forms recommended by the MN Department of Health will be offered.
3. Due to the complexity and duration of time necessary to accurately complete a health care directive, the patient is expected to present a completed, legal Health Care Directive document



at the time of admission if they so wish to have this incorporated into their medical record at our facility.

- a. In order for the completed Health Care Directive to be recognized and incorporated into the patient's medical record, the document must meet the minimum requirements as established in MN Statutes 145C.03 subd. 1.
 - b. If a patient requests assistance in completing a Health Care Directive, they will be directed to the MN Department of Health website, and encouraged to discuss their health care wishes with family and a primary care provider.
 - c. Patients are encouraged to provide their own witnesses to their Health Care Directive. If this is not possible, only one of the two witnesses may be a health care provider providing direct care to the patient, or an employee of a health care provider providing direct care to the patient in accordance with MN Statutes 145C.03 subd 3. Designated health care agents cannot act as a witness on this document.
 - d. The surgery center is unable to provide a notary public on the day of surgery admission.
4. Due to the nature of the services provided at the surgery center, in the event of a medical emergency, it is our policy to resuscitate ALL patients until care can be transferred to an acute care facility.
- a. A copy of the patient's advance health care directive will accompany the patient upon transfer to an acute care facility, when applicable.