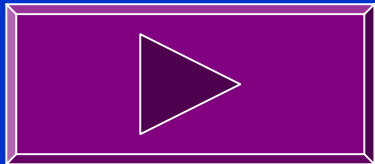


Act 59

Do Not Resuscitate (DNR) Law



**Place MOUSE in
Box Above and
Left-Click to Start
the educational
presentation**

**How does this law effect you as
a pre-hospital provider?**

Introduction

Changing times also bring changes in education. For many of you, this may be your first educational experience using online media or “E-Learning”. A PowerPoint Presentation is being used to present information about Act 59 – Do Not Resuscitate Law.

Congratulations on getting this far. You have found how to get from the first slide to this one. On the bottom of each slide, you will find a “BACK” and “FORWARD” Arrow. Just place the MOUSE in the appropriate box and left-click to navigate to the next slide or return to the prior slide. Welcome to the “E-Learning” session. Thank You.



Overview

On July 19, 2002, the Commonwealth of Pennsylvania passed Act 59 of 2002, the Do Not Resuscitate Act (DNR Act).

This law pertains to Out-Of-Hospital DNR orders.



Purpose

This online presentation is intended to educate EMS personnel and providers about Act 59 and how it effects the treatment they should provide to a patient with a valid out-of-hospital DNR order in Pennsylvania.



Objectives

At the completion of this course, the student will be able to:

- Define Out-Of-Hospital DNR order.
- Distinguish between “Advance Directives” and “Out-Of-Hospital DNR” in PA.
- Name the three items that can identify a patient as having an Out-Of-Hospital DNR order.



Objectives

At the completion of this course, the student will be able to:

- Identify situations when an EMS provider must contact medical command when presented with a DNR order.
- Describe the ways in which a DNR order can be revoked.



Lesson Assessment

- At the end of this educational presentation, there are 5 multiple choice questions to answer.
- Your answers to these questions will be graded and your score recorded.
- Should you miss any questions, you will need to review the educational presentation and re-answer the lesson assessment.



Definitions

Out-Of-Hospital DNR order:

A written order, on a form approved by the Pennsylvania Department of Health, that is issued by an attending physician and directs EMS providers to withhold CPR and other life-sustaining treatment from the patient in the event of cardiac and/or respiratory arrest.

Out-Of-Hospital DNR Patient:

A patient for whom an attending physician has issued an Out-Of-Hospital DNR order.



Definitions

Attending physician:

A physician who has primary responsibility for the medical care and treatment of a patient. A patient may have more than one attending physician.



Definitions

Terminal condition:

An incurable and irreversible medical condition in an advanced state (including permanent unconsciousness) caused by injury, disease or physical illness which will, in the opinion of the attending physician, to a reasonable degree of certainty, result in death regardless of the continued application of life-sustaining treatment.



Definitions

EMS personnel:

Pre-hospital personnel and individuals given Good Samaritan civil immunity protection when using an automated external defibrillator under 42 Pa.C.S. § 8331.2 (relating to good Samaritan civil immunity for use of AEDs).



Definitions

EMS provider:

EMS personnel, medical command physicians (MCP), advanced life support service medical director, medical command facility medical director, medical command facility, ambulance service and quick response service as defined in the EMS Act.



Definitions

EMS Act:

Act 45 of 1985, which provided for the development and maintenance of a comprehensive emergency medical services system in the Commonwealth of Pennsylvania. Act 45 defines qualifications, eligibility and certification of EMS personnel and licensing ambulance services, as well as imposes powers and duties on the Department of Health.



Definitions

Surrogate:

An individual who has, or individuals who collectively have, legal authority to request an out-of-hospital DNR order.



Purpose of Act 59

The purpose of Act 59 is to:

- communicate standards for issuance & revocation of Out-Of-Hospital DNR orders
- determine specific rules pertaining to Out-Of-Hospital DNR orders and pregnant patients
- address other types of life-sustaining procedures and other types of orders & directives
- address duties of health care providers when presented with these orders



What are the differences?

Advance Directive for Health Care Act:

- Enacted April 16, 1992
- Encompasses resuscitation criteria and other measures (i.e. feeding tubes, ventilators, etc.)
- Medical Command Physician (MCP) must be contacted to allow EMS providers to honor directive

Out-Of-Hospital DNR Act:

- Enacted July 19, 2002
- Encompasses only resuscitation measures
- Empowers EMS personnel to withhold CPR in the Out-Of-Hospital setting without contacting MCP
- Defines formats of order
 - Paper
 - Necklace
 - Bracelet
- Outlines protection for individuals using AED through the Good Samaritan Law



Out-Of-Hospital DNRs

- EMS provider can withhold CPR upon observing Out-Of-Hospital DNR order, bracelet, or necklace displayed with the patient
- Not required to contact Medical Command
- EMS personnel are authorized to comply with an Out-Of-Hospital DNR order in any setting.



Out-Of-Hospital DNR Orders in Hospitals

- EMS personnel are authorized to comply with an Out-Of-Hospital Order in a hospital setting ONLY if the hospital has requested an ambulance service to provide EMS to the patient (such as transporting patients at discharge or transfer following evaluation and/or treatment.)



Out-Of-Hospital DNR Orders in Hospitals

- An EMS provider is unable to honor a hospital DNR order or advance directive without a valid Out-Of-Hospital DNR order issued by the patient's attending physician



Who Qualifies for a Out-of-Hospital DNR?

- Individual must have a terminal condition or permanent unconsciousness AND:
 - Be at least 18 years of age or
 - Have graduated from high school or
 - Have married or
 - Be considered emancipated



Obtaining an Out-of-Hospital DNR Order

- Patient must sign the order in the presence of the attending physician (unless the order is obtained by the surrogate)
- By signing the order, the patient indicates that they are waiving life-sustaining treatment by EMS personnel in the event of a cardiac and/or respiratory arrest



How will Providers know of the DNR Order ?

The patient has at least one of the following, and must display it for the order to be recognized and validated by EMS personnel.

- Signed original Out-Of-Hospital DNR order on the form approved by the PA Department of Health
- Out-Of-Hospital DNR Bracelet
- Out-Of-Hospital DNR Necklace



Bracelets and Necklaces

Must be State approved, and:

- Clearly indicate OUT-OF-HOSPITAL DNR on the face of the bracelet or necklace
- Include name of the patient
- Include name of the attending physician
- Include the dated signature of the attending physician



PA DNR bracelet and necklace



Bracelets and Necklaces

If a patient is wearing a bracelet or necklace that is not approved by the state (such as inscribed metal jewelry), EMS practitioners **MUST** ask to see the original **written** DNR order to withhold CPR.



Can the DNR be Revoked ?

YES, at ANY time.

- By destroying or not displaying the order, bracelet, or necklace, or by conveying the decision to revoke the Out-Of-Hospital DNR order verbally or otherwise at the time the patient experiences cardiac and/or respiratory arrest.
- Out-Of-Hospital DNR order can be voluntarily returned to the attending physician (who must destroy the materials).



Revoking a DNR order

- Neither the physical nor mental condition of the patient will be considered to void the decision of the patient or surrogate to revoke the Out-Of-Hospital DNR order if that decision is clearly communicated in some manner.



Roles and Responsibilities of the Surrogate

Surrogate qualifications:

- Must have, including individuals who collectively have, legal authority to request an Out-Of-Hospital DNR order.

Surrogate roles:

- Can request an Out-Of-Hospital DNR order for a patient (including minors) that meets the criteria.
- May **not** revoke an Out-Of-Hospital DNR order against the patient's will. HOWEVER, the patient may revoke an Out-Of-Hospital DNR order that was obtained by a surrogate.



Roles and Responsibilities of the Surrogate

Surrogate roles:

- A surrogate may revoke an OOH DNR order **ONLY** if the order was obtained by a surrogate.
- Surrogates may change so the surrogate revoking the order may not be the same surrogate who obtained the order.



Ambulance Service's Responsibilities



All ambulance services are required to have written policies and procedures regarding Out-Of-Hospital DNR orders.



EMS Practitioners Responsibilities

- EMS practitioners are obligated to honor a valid Out-Of-Hospital DNR order when presented with it.
- EMS practitioners may honor valid Out-Of-Hospital DNR from other States and Commonwealths IF the order is consistent with the laws of PA.



Other State DNR Orders

- Review of other state DNR laws will be ongoing by the Department of Health to see if they are consistent with the DNR laws of PA.
- None are approved at present
- Future acceptance information will be published in the PA Bulletin.



Interventions for a DNR Patient

Should NOT be provided:

- CPR
- Intubation
- Bag and mask ventilation
- Defibrillation
- Medications intended to resuscitate

May be provided:

- Oxygen
- Suctioning
- Medications for comfort or to alleviate pain per local medical command (unless refused by patient)



Medical Command Responsibilities

- Shall honor a valid Out-Of-Hospital DNR order.
- Shall direct the pre-hospital practitioner to provide other medical interventions within the practitioner's scope of practice **to provide comfort to the patient and to alleviate pain**, unless the pre-hospital practitioner is otherwise directed by the patient.



Medical Command Responsibilities

- Additional requirements with pregnant patients (discussed later).



Patient Care Settings

- Out-Of-Hospital DNR order applies to ALL SETTINGS when providing EMS to a DNR patient (including personal care facilities and all other health care facilities).
- EMS personnel are authorized to comply with an Out-Of-Hospital Order in a hospital setting if the hospital has requested an ambulance service to provide EMS to the patient (such as transporting patients at discharge or transfer following evaluation and/or treatment.)



Extraordinary Conditions

Mistake in Diagnosis:

The physician will attempt to contact the patient to ask the patient to return the Out-Of-Hospital DNR order, bracelet and/or necklace to the physician if the diagnosis of a terminal condition was in error.

The patient is not mandated to comply.



Extraordinary Conditions

Discovery of Out-Of-Hospital DNR AFTER EMS initiated CPR:

If EMS personnel become aware of an effective Out-Of-Hospital DNR order after initiating CPR, the EMS provider **shall discontinue CPR.**



Extraordinary Conditions

Discontinuation of CPR not initiated by pre-hospital practitioner:

The pre-hospital practitioner may NOT discontinue CPR started by other persons without being directed to do so by the medical command physician.



Extraordinary Conditions

Practitioner uncertainty:

If uncertainty exists related to the order having been revoked, CPR should be provided or not be provided as directed by the medical command physician based on a good faith assessment of the circumstances.



Pregnant Patients

A pregnant patient may obtain an Out-Of-Hospital DNR order when her attending physician AND an obstetrician has examined the patient and certified in the medical record that life sustaining treatment, nutrition, hydration, and CPR will have one of the following consequences:



Pregnant Patients

1. Will not maintain pregnant patient in a way as to permit continuing development and live birth of unborn child
2. Will be physically harmful to pregnant patient
3. Will cause pain which cannot be alleviated by medication to the pregnant patient



Pregnant Patients

- The medical command physician shall direct the pre-hospital practitioner to *ignore the Out-Of-Hospital DNR order unless the medical command physician has knowledge that the patient's attending physician complied with the requirements with the knowledge that the patient is pregnant.* (This information is disclosed on the Out-Of-Hospital DNR order itself)



QUESTIONS???

Practitioner questions can be directed to your regional EMS council

Additional info is available at
<http://www.health.state.pa.us>

**Click Arrow to go to
Lesson Assessment**

