

ADVANCE DIRECTIVES/DO NOT RESUSCITATE

PURPOSE

To ensure that LADD complies with all State Laws, responsible Contract Agencies, and regulatory agency requirements regarding Advanced Directives while respecting a person supported's right to life decisions.

SCOPE

This policy applies to all people supported and programs supported by LADD.

POLICY

It is the policy of LADD to provide a consistent and orderly method of notifying people of their rights under Michigan state law to make decisions concerning their medical care, including the right to accept or refuse medical treatment, and to formulate "advance directives".

At the time services are started, each person and/or their legal representative will receive information on these rights.

At the time services are started and periodically thereafter, LADD will inquire whether or not the person has executed an advance directive via the Person-Centered Planning process. Each person will be provided the opportunity to participate in the planning and determination of his/her own plan of care, including advance directives, to the extent he/she is capable of being involved. The person and/or his/her family or legal representative shall be informed that the person may revoke advance directives at any time. LADD does not have any moral objections and will not create any limitations, to implementing an Advance Directive. LADD will abide by State of Michigan Laws and the responsible Contract Agencies policies on Advance Directives, by following the procedures as defined below.

There will be separate tracks for implementation of this policy depending on the person supported as the regulations and laws may impact adults with mental illness and adults with developmental disabilities differently. The legal authority for this right is stated in The Michigan Do-Not Resuscitate Procedure Act (MDNRPA) MCLA 333.1051 et seq The Patient Advocate Act, Part 5 of the Estates and Protected Individuals Code (EPIC) MCLA 700.5501 et seq.

The State of Michigan, through the language utilized in both Acts requires that an adult must be of "sound mind" in order to sign an Advance Directive. This explicit language indicates the guardian of an adult with developmental disabilities, who is not of sound mind, lacks authority under the Patient Advocate Act to sign a designation of patient advocate on behalf of the ward.

Public Acts 155, 156 and 157- a guardian is authorized to execute a DNR order on behalf of a ward, including those living in licensed adult foster care, provided the guardian has such power under the Estates and Protected Individuals Code.

The state of Michigan's stance on people with developmental disabilities, who have a legal guardian, and have established an Advance Directive, is defined in the Michigan Attorney General's opinion, OAG 7056, June 20, 2000.

DEFINITIONS

Advance Directive means a written instruction such as a living will or health care power of attorney, recognized under State law (whether by statute or by the courts of the state) and relating to the provision of health care when the individual is incapacitated.

Do Not Resuscitate Order direct that in the event that a declarant's heart and breathing should stop, no person shall attempt to resuscitate the declarant.

Durable Power of Attorney for Healthcare Decisions (DPOA) In the State of Michigan, established through MCLA 700.5501 et seq. the state of Michigan allows an adult 18 years of age or older of sound mind to designate a Patient Advocate who is able to make decisions concerning the care, custody and medical treatment if that individual is unable to participate in his/her medical and/or mental health treatment decisions.

There are 3 types of advance directives. Each type of advance directive accomplishes something different. It is important to understand the difference between these three types.

A Durable Power of Attorney for Health Care allows a person to appoint someone to make decisions on their behalf if they have a medical or mental health care crisis. That person can be called an agent, a patient advocate or a healthcare proxy. These three names mean the same thing. Michigan courts will honor a durable power of attorney for health care.

A Living Will is a written document which informs health care providers and the courts about the type of medical care a person wishes to receive or not receive. It is limited to care during terminal illness or permanent unconsciousness. Michigan Courts may look at a living will; but, the courts do not have to follow what a living will says.

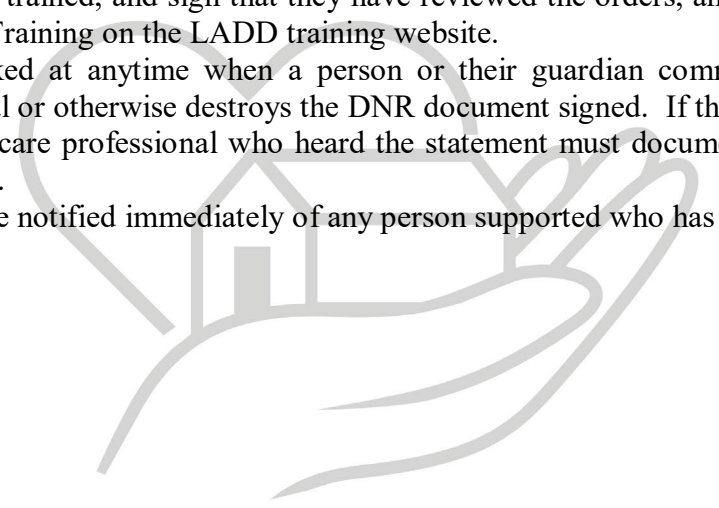
A Do-Not-Resuscitate Order says that you do not want anyone to attempt to help you if your breathing and heartbeat stops. This can also be called a DNR.

PROCEDURE

1. During the intake process (Service Information Pack), persons supported will be asked if they have an advanced directive regarding their medical condition should they become incapacitated. If they furnish a copy of the durable power of attorney, living will, or other document, it will be maintained as part of the medical record.
2. Annually as part of the Person-Centered Planning Process advanced directives is reviewed.
3. Management will ensure any Advanced Directives are immediately forwarded to and reviewed with the responsible Contract Agency and the Office of Recipient Rights for that County and that both agencies have authorized LADD to follow those orders.
4. This information will also be included in the person's record book. If they have a DNR the words DNR will be on the records binder. This is so that you can quickly notify Emergency Personnel of a DNR and provide them a copy.
5. The guardian is responsible for communications with all agencies; ensuring that the conditions of Michigan Laws are met.
6. The person supported and legal guardian will be informed that CPR will be provided if a medical emergency occurs at any supervised program or residential facility because staff cannot personally honor their Advance Directives since they do not have the means to adequately diagnose their medical condition in an emergency.
7. If an Emergency occurs with a person who has a DNR order; Staff will still follow their emergency training and CHECK; scene and person; CALL 911 or HOSPICE (if person is under Hospice Care) and CARE based on 911 or Hospice instructions telling them the person has a DNR order.
8. Staff will inform Health Care Facilities, Medical Personnel and Emergency Medical Technicians of the advance directive once they arrive on scene or become involved. Staff must provide a copy of the

advance directive to the medical professional. Beyond this, the Medical professional will decide what will be done with the individual.

9. In the event of a medical emergency LADD employees will call 911 and provide emergency CPR/First Aid efforts unless they are told otherwise by a Medical professional or a Hospice Agency. If there is no written and approved DNR then emergency resuscitation must be implemented.
10. If a person is under Hospice care, the Hospice Service Plan is to be considered an addendum to the LADD, Inc. Personal Profile-All About Me (Assessment Plan) and maintained in the person's record. A Hospice Service Plan with a do not resuscitate order is considered protection for the person if in the event they suffer a serious adverse change in medical condition such as cessation of both spontaneous respiration and circulation. The licensed Hospice provider is contacted immediately and staff will follow directions given.
11. The valid paper work must be available in the person's permanent record.
12. All staff must read, be trained, and sign that they have reviewed the orders, and will complete additional Advanced Directives Training on the LADD training website.
13. A DNR can be revoked at anytime when a person or their guardian communicates their wish to a Healthcare professional or otherwise destroys the DNR document signed. If the communication has been verbal then the Healthcare professional who heard the statement must document the statement and sign and date for the record.
14. Administration must be notified immediately of any person supported who has a DNR Order.



LADD

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