

PREHOSPITAL POLICY

Policy Reference No: 117  
Effective Date: 3/1/97  
Supersedes: 11/1/93

SUBJECT: DO NOT RESUSCITATE (DNR)

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I. PURPOSE:

To establish criteria for Emergency Medical Technicians (all levels) and First Responders in San Luis Obispo County to determine appropriateness of either:

- A. Withholding resuscitative measures, or
- B. Obtaining a Base hospital physician order for pronouncement of patients in cardiac arrest while in the prehospital setting in accordance with their wishes.

II. AUTHORITY:

- A. Health and Safety Code, Division 2.5, Section 1798.
  - B. The constitutional right of privacy guarantees to the patient the freedom to choose to reject, or refuse to consent to, intrusions of his or her bodily integrity, including medical treatment. Cal. Const., Art I, Sec. 1; U.S. Const., 5th and 9th Ammends.
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County Health Officer

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Date

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Executive Director, Emergency Medical Services Agency

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Date

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Medical Director, Emergency Medical Services Agency

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Date

- C. The right of terminally ill patients to refuse emergency life-saving treatment in a non-hospital setting is affirmed in California laws and regulations. Health and Safety Code, Division 7, Section 7186.
- D. California Code of Regulations, Title 22, Section 70707(6).
- E. California Code of Regulations, Title 22, Section 72527 (a) (4) governing health facilities, authorizes patients “to refuse treatment to the extent permitted by law and to be informed of the medical consequences of such refusal.”
- F. California courts fully support the rights of individuals to determine the course of their own health care:

Bouvia v. Superior Court 179 Cal. App. 3d 1127

Bartling v. Superior Court 163 Cal. App. 3d 186, 195

Barber v. Superior Court 147 Cal. App. 3d 185

### III. DEFINITIONS:

- A. “Emergency Medical Technician (EMT)” - For the purposes of this document, the term Emergency Medical Technician (EMT) shall apply to all First Responders, EMT-Is, EMT-Ds, and EMT-Ps certified and/or accredited to function in San Luis Obispo County.
- B. “Resuscitation” - Medical interventions whose purpose is to restore cardiac or respiratory activity, and which are listed here:
  - 1. External cardiac compression (chest compressions)
  - 2. Defibrillation
  - 3. Assisted ventilation
  - 4. Endotracheal intubation
  - 5. Administration of cardiogenic drugs
- C. “DNR Medallion” - A metal or permanently imprinted insignia, worn by a patient, that has been manufactured and distributed by an organization approved by the California State Emergency Medical Services Authority. The insignia shall be imprinted with the words “Do Not Resuscitate, EMS” and is approved by the San Luis Obispo County EMS Agency as a directive for County EMS personnel to withhold or discontinue CPR on the wearer.

- D. "DNR Order" -An order to withhold resuscitation. A DNR Order shall be considered operative only if one or more of the following circumstances exist:
1. A fully executed original or photocopy of the California Emergency Medical Services Authority/California Medical Association "Emergency Medical Services Prehospital DNR Form" has been read and reviewed on scene by the EMT;
  2. The patient is wearing a DNR Medallion;
  3. A fully executed California Durable Power of Attorney for Health Care form is seen by the EMT, a health care agent designated therein is present, and that agent requests that resuscitation not be done;
  4. A fully executed Natural Death Act Declaration has been read and reviewed on scene by the EMT; or
  5. For patients who are in a licensed health care facility, or who are being transferred between licensed health care facilities, a written document in the patient's permanent medical record containing the statement "Do Not Resuscitate," "No Code," or "No CPR," has been seen by the EMT. The authenticity of this document must be verbally documented by a witness from the health care facility.
- E. "California Durable Power of Attorney for Health Care (DPAHC)" - As defined in California Civil Code, Sections 2410-2444.
- F. "Natural Death Act Declaration" - As defined in the Natural Death Act of California, Health and Safety Code Sections 7185-7195.

#### IV. PROCEDURE:

- A. All patients require immediate medical evaluation.
- B. All patients with absent vital signs who are not "obviously dead," as described in the EMS Agency Prehospital Determination of Death Policy, shall be treated with resuscitative measures, unless the EMT is presented with a DNR Order as previously defined.
- C. Correct identification of the patient is crucial in this process. If not wearing a DNR Medallion, the patient must be positively identified as the person named in the DNR Order. This will normally require either the presence of a witness or an identification band.
- D. When a DNR Order is operative, if the patient has no palpable pulse and is apneic, resuscitation shall be withheld or discontinued. The patient is to receive full treatment other than resuscitation (e.g., for airway obstruction, pain, dyspnea, hemorrhage, etc.).

E. A DNR Order shall be considered null and void under any of the following circumstances:

1. The patient is conscious and states that he or she wishes resuscitation.
2. There is objection or disagreement by a family member or caretaker.
3. There is a question as to the validity of the DNR Order.

Should any of these circumstances occur, appropriate treatment shall continue or immediately commence, including resuscitation if necessary. Base contact shall be made when appropriate.

F. Other advance directives, such as informal "living wills" or written instructions without an agent in the California Durable Power of Attorney for Health Care, may be encountered. Should this occur, resuscitation must be initiated, if indicated, and Base contact must be made as soon as practical.

G. Base contact is not required if the conditions of an appropriate DNR Order are operative. Immediate Base contact shall be made if there are any questions regarding any aspect of the care of the patient.

H. If a DPAHC health care agent requests that resuscitation not be done, the EMT shall inform the agent of the consequences of the request.

I. DNR Orders are to be honored during transport.

J. In the event the patient expires during transportation, the following should be considered:

1. Unless specifically requested, the patient should not be returned to a private residence or skilled nursing facility.
2. Continue to the destination hospital or return to the originating hospital if time is not excessive.
3. If transport time would be excessive, divert to the closest receiving hospital.
4. In remote areas, transporting agencies should make advance agreements with the office of the Coroner for mutually acceptable rendezvous locations where the patient may be taken.

**V. DOCUMENTATION:**

- A. For all cases when a patient with a DNR Order is encountered, EMTs, including First Responders, shall document the following on their prehospital care report.
1. Name of patient's physician signing the DNR Order.
  2. Date the order was signed.
  3. Type of DNR Order (DNR Medallion, Prehospital DNR Form, written order in a licensed health care facility chart, DPAHC, or Natural Death Act Declaration.)
  4. Name of the person who identified the patient if a DNR medallion was not the basis of the decision.
  5. In the EMT-P prehospital care report, if the decision to withhold or terminate resuscitative measures was made by a First Responder, EMT-I or EMT-D, his/her name, agency, and certification number.