

SAN LUIS OBISPO COUNTY EMERGENCY MEDICAL SERVICES AGENCY  
PREHOSPITAL POLICY

Policy Reference No: 117  
Effective Date: 06/21/2010  
Supersedes: 03/01/1997  
Review Date: 10/01/2012

SUBJECT: DO NOT RESUSCITATE (DNR) / END OF LIFE LEVEL OF CARE

#### PURPOSE

To establish criteria for First Responders in San Luis Obispo County to determine appropriateness of withholding resuscitative measures, or for Paramedics in the prehospital setting to obtain a Base Hospital physician order for pronouncement of patients in cardiac arrest or consultation regarding end of life level of care, in accordance with patient wishes.

#### AUTHORITY

- A. Health and Safety Code, Division 2.5, Sections 1797.200, 1797.220, 1798 and 1798.6.
- B. California Probate Code Sections 4780-4786.
- C. California Code of Regulations, Title 22, Sections 70707(6), 72527(a) (4).
- D. California Constitution, Article 1, Section 1 and U.S. Constitution, 5<sup>th</sup> and 9<sup>th</sup> Amendments, guarantee a patient the freedom to choose to reject, or refuse to consent to, intrusions of his or her bodily integrity, including medical treatment.
- E. The right of terminally ill patients to refuse emergency life-saving treatment in a non-hospital setting is affirmed in California laws and regulations including Health and Safety Code, Division 7, Sections 7185-7195 (California Natural Death Act).
- F. California courts fully support the rights of individuals to determine the course of their own health care:
  - 1. Bouvia v. Superior Court 179 Cal. App. 3d 1127.
  - 2. Bartling v. Superior Court 163 Cal. App. 3d 186, 195.
  - 3. Barber v. Superior Court 147 Cal. App. 3d 185.

#### DEFINITIONS

- A. California Durable Power of Attorney for Health Care (DPAHC): As defined in California Civil Code, Sections 2410-2444.

- B. 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,” or “Do Not Resuscitate, POLST,” and is approved by the San Luis Obispo County Emergency Medical Services Agency as a directive for First Responders to withhold or discontinue resuscitation on the wearer. In the event the medallion is imprinted with the acronym POLST, treatment should proceed in compliance with the patient’s wishes indicated on the POLST form. If the POLST form is not immediately available, treatment shall proceed in a manner consistent with the California Emergency Medical Services Authority/California Medical Association Emergency Medical Services Prehospital DNR Form.
- C. 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 First Responder.
  2. The patient is wearing a DNR Medallion.
  3. A fully executed Physician Order for Life-Sustaining Treatment (POLST) has been read and reviewed on scene by the First Responder, and the “Do Not Attempt Resuscitation/DNR” box in Section A is checked.
  4. A fully executed California Durable Power of Attorney for Health Care form has been read and reviewed on scene by the First Responder, a health care agent designated therein is present, and that agent requests that resuscitation not be done.
  5. A fully executed Natural Death Act Declaration has been read and reviewed on scene by the First Responder.
  6. 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 read and reviewed on scene by the First Responder. The authenticity of this document must be verbally documented by a witness from the health care facility.
- D. Emergency Medical Technician (EMT): An Emergency Medical Technician of any level certified in the State of California.
- E. First Responders: On-duty EMTs, Paramedics and nurses trained in local EMS policies, and Public Safety personnel trained in first aid and CPR such as firefighters, peace officers, park rangers and lifeguards.
- F. Natural Death Act Declaration: As defined in the Natural Death Act of California, Health and Safety Code Sections 7185-7195.

- G. Paramedic: An EMT-P licensed by the state of California and accredited to practice in San Luis Obispo County.
- H. Patient Care Report (PCR): Written or electronic report completed by prehospital personnel to document patient assessment and care.
- I. Physician Order for Life-Sustaining Treatment (POLST): California EMS Authority Form #111-B.
- J. Resuscitation: Medical interventions whose purpose is to restore cardiac or respiratory activity, and which are listed here:
  - 1. Cardiopulmonary resuscitation (CPR)
  - 2. Defibrillation or cardioversion (including AED)
  - 3. Assisted ventilation in the absence of spontaneous respirations
  - 4. Endotracheal intubation – oral or nasal
  - 5. Administration of cardiac drugs
- K. Supportive Treatment: Medical interventions whose purpose is to alleviate suffering and provide comfort, and which are listed here:
  - 1. Positioning and/or medication to relieve pain, according to protocols.
  - 2. Administration of oxygen, relief of airway obstruction (partial or complete), assisted respirations in the presence of spontaneous respirations, including oral- and naso-pharyngeal airways if tolerated; does not include endotracheal intubation.
  - 3. Control of major hemorrhage, stabilization of fractures or other injuries.
  - 4. Administration of IV fluids for hydration.
  - 5. Administration of non-cardiac medications, according to protocols.

## POLICY

- A. All patients require immediate medical evaluation.
- B. All patients with absent vital signs without signs of Obvious Death as defined in *San Luis Obispo County Emergency Medical Services Agency Policy 116: Prehospital Determination of Death* shall be treated with resuscitative measures unless the First Responder is presented with an operative DNR Order.
- C. The First Responder shall positively identify the patient as the person named in the DNR Order. Identification may consist of a DNR Medallion, an identification band, or confirmation of the patient's identity by a reliable witness or facility staff member. After a good faith effort to identify the patient, the presumption should be that the identity is correct if documentation is present and the circumstances are consistent.
- D. When there is an operative DNR Order, if the patient has no palpable pulse and has no spontaneous respiration, resuscitation shall be withheld or discontinued.
- E. Any patient with an operative DNR Order who has a pulse and/or spontaneous respiration shall receive supportive treatment as follows:

1. POLST provides multiple choices regarding resuscitation/non-resuscitation (Section A), and the extent of supportive medical interventions (Section B). When presented with POLST, the First Responder shall read and review both sections to determine the extent of treatment desired by the patient.
  2. Certain other advance directives may be encountered that state the patient's wishes regarding supportive care and intervention. All needed care and treatment should be provided unless clearly excluded by the document. Base Hospital consultation shall be obtained in unclear situations.
- F. A DNR Order shall be considered null and void under any of the following circumstances, and appropriate treatment shall continue or immediately commence, including resuscitation if necessary, and Base Hospital contact shall be made when appropriate:
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.
  4. A criminal act such as homicide is suspected, unless signs of Obvious Death criteria are present as defined in *San Luis Obispo County Emergency Medical Services Agency Prehospital Policy 116: Prehospital Determination of Death*.
- G. When other advance directives, such as informal "living wills" or written instructions without an agent in the California Durable Power of Attorney for Health Care (DPAHC), are encountered, BLS resuscitation must be initiated if indicated, and Base Hospital contact must be made as soon as practical.
- H. Base Hospital contact is not required if the conditions of an appropriate DNR Order are operative. Immediate Base Hospital contact shall be made if there are any questions regarding any aspect of the care of the patient.
- I. If a California DPAHC agent requests that resuscitation not be done, the First Responder shall inform the agent of the consequences of the request.
- J. DNR Orders are to be honored during transport. 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.
- K. In the event that multiple properly executed DNR Orders or advance directive documents are encountered, the document with the most recent date shall be honored.
- L. In the event that the patient is a documented client of a Hospice organization, the First Responder should read and review any pertinent Hospice documents having relevance to emergency care and shall follow the directives therein, acting within

protocols and scope of practice, and should consider making contact with Hospice on-call personnel as necessary.

## PROCEDURE

For all cases when a patient with a DNR Order is encountered, the First Responder shall document the following on the Patient Care Report (PCR):

- A. Name of patient's physician signing the DNR Order.
- B. Date the DNR order was signed.
- C. Type of DNR Order (DNR Medallion, Prehospital DNR Form, POLST, written order in a licensed health care facility chart, California DPAHC, or Natural Death Act Declaration) and whenever possible, a copy of the DNR Order should be attached to the PCR.
- D. Name of the person who identified the patient if a DNR Medallion was not the basis of the decision.
- E. If the decision to withhold or terminate resuscitative measures was made by the First Responder, his/her name, agency, and certification number.
- F. In the event that the patient expires in the presence of First Responders, or other extraordinary circumstances, the documentation procedures outlined in *San Luis Obispo County Emergency Medical Services Agency Prehospital Policy 116: Prehospital Determination of Death* shall apply.