

SUBJECT: ADVANCE DIRECTIVE

PURPOSE

- A. To inform a patient of their right to execute an advance directive and provide them with applicable state forms if so requested or as directed by state.
- B. To advise the patient of the Center policy regarding Advance Directives.

POLICY:

- A. Specialized Outpatient Surgery Center for Children and Adults recognizes the patient's right to have Advance Directives, a Living Will, Medical Power of Attorney, and/or Directive to Physicians, Family or Surrogate, according to the Federal and State of Florida laws and statutes.
- B. A Durable Power of Attorney is a legal document that enables an individual to designate another person to act on his/her behalf, in the event the individual becomes disabled or incapacitated.
- C. A Health Care Surrogate is someone who is appointed to make medical decisions for the patient if the patient is unable to make them for themselves. A healthcare surrogate is appointed only if there is no durable power of attorney.
- D. A living will is a legal document informing the physician and healthcare provider of the life-sustaining treatments or procedures the patient wants when in a terminal or a persistently unconscious state.
- E. The following applies to Advance Directives in the State of Florida:
 - 1. The State of Florida has no legal requirement that an advance directive is completed.
 - 2. If a person has not made an advance directive, decision about their healthcare may be made by a court appointed guardian, their wife or husband, their adult child, their parent, their adult sibling, an adult relative, or a close friend.
 - 3. Florida law provides samples of each of the following forms:
 - a. A living will
 - b. A healthcare surrogate
 - c. Anatomical donation
- F. It is the policy of this Center that, regardless of the contents of any advance directives/living will or instruction from a health care surrogate, patient representative, or attorney, the Center will always attempt to resuscitate a patient and transfer that patient to an acute health care facility in the event of deterioration.

PURPOSE

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- 2. To advise the patient of the Center policy regarding Advance Directives.

PROCEDURE:

1. Patients will be asked on the pre-admission call or admission if they have any Advance Directives and/or a Living Will in place and the answer will be documented on the medical record. The staff will request that patients bring a copy of any of their Advance Directives and/or a Living Will on the Day of Surgery.
2. If the patient does not have Advance Directives/Living Will, the patient will be asked if they would like information and be provided with the State Forms. Legal opinions will not be provided or offered by personnel and/or medical staff. The information discussed will be incorporated into the patient's medical record.
3. If the patient has a copy of the document (any Advance Directive and/or Living Will), a copy will be made and placed within the medical record.
4. If the patient has an Advance Directive and forgot to bring it on the Day of Surgery, this will be noted on the medical record.
5. The patient is provided with information regarding the Center's Advance Directive policy. If the patient does not agree with the Center policy, assistance is given in rescheduling the procedure to an alternate Center.
 - a. It is also documented on the Disclosure Statement if the patient requests Florida Advance Directive Forms and if requested, it is documented that the patient received the forms.
6. If the patient elects not to continue with the procedure, a notation will be made on the medical record as to why the procedure was cancelled and the physician's office will be notified.
7. In the event that the procedure is continued, and the patient would require transfer to a tertiary care facility, a copy of the Advance Directives/Living Will is made and accompanies the patient.

Center staff will be trained upon hire and annually regarding the Center's policy regarding Advance Directives