Ĩ	POLICY:	200.12 CONSENT-REFUSAL OF TREATMENT	
MORRIS	Owner:	MANAGER OF EMS & EMERGENCY MANAGEMENT	
HOSPITAL HEALTHCARE CENTERS	EFFECTIVE DATE: 2/15/2024		ORIGINAL EFFECTIVE DATE: 08/16
People You Know. Extraordinary Care.	DEPARTMENT SPECIFIC		EMERGENCY MEDICAL SERVICES

I. Purpose:

To describe the procedure to be followed by EMS when dealing with a patient who is an adult, mature adolescent, or emancipated minor who is refusing to be assessed, treated and/or transported by EMS responders.

II. Definitions:

- A. Adult Person who has attained the age of legal majority (18 years)_Adolescent An adolescent, for the purposes of this policy, is a person between the ages of 12 and 17, unless legally emancipated by reason of marriage, pregnancy, court order or entry into the United States Armed Forces._Decisional capacity, as explained in SMO Protocol 80, is evidenced by:
 - 1. Patient is alert, oriented and understands and answers questions appropriately
 - 2. A physical assessment
 - **3.** The specific potential consequences explained to the patient of not receiving medical care/evaluation
 - 4. The alternatives to care (contacting private physician immediately, etc.)
 - **5.** Signature of patient, legal guardian or Durable Power of Attorney for Healthcare-a spouse is not a legal guardian unless appointed by the court

A minor cannot refuse treatment or transport to a hospital for medical attention. If a parent or guardian is not available for consent, the patient is treated under IMPLIED CONSENT.

A parent may refuse treatment of a child in consultation with Medical Control EXCEPT under the following conditions:

- 1. Parents may not withhold consent for life-saving treatment.
- 2. When suspicion of abuse and/or neglect exists.
- **3.** Life or limb threatening illness or injury.
- 4. Incompetent adult guardian.

In the event of a minor who is believed to be under the influence of alcohol or drugs, a parent may sign a refusal of treatment and transport only after consulting with Medical Control.

Multiple Patient Release Form (MPR)

Two (2) or more patients at a scene/call refusing treatment and or transport.

III. Procedure:

A. Documentation of Refusal of Treatment for a Competent Patient

- 1. Complete the Patient Care Report.
- **2.** Document chief complaint and patient assessment including mental status exam, i.e. orientation to person, place and time.
- **3.** Document that the patient/parent(s) was/were INFORMED and UNDERSTAND(S) the consequences of his/her own refusal for medical attention and/or transport.
- **4.** Notify Medical Control for refusal of care prior to leaving the scene. All refusals of care must be communicated to Medical Control prior to allowing the refusal.
- **5.** Document Emergency Communications Registered Nurse (ECRN)/Emergency Department (ED) physician approving refusal.
- **6.** Obtain patient's signature and signature of a witness of refusal (preferably family member) prior to communication with Medical Control and prior to leaving the scene.
- 7. If patient is not willing to sign a refusal of care and/or transport, it should be documented as outlined in items 1-5.
- **8.** MPR form may be utilized for two or more patients at a scene whom are refusing care. The procedure for documentation of refusal of treatment for the competent patient remains the same when utilizing the MPR form. (As listed above, under procedure 1-7).

Form: EMS-Release of Liability MH Form# 721

Approval:

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