



People You Know.
Extraordinary Care.

POLICY:	200.12 CONSENT-REFUSAL OF TREATMENT		
OWNER:	MANAGER OF EMS & EMERGENCY MANAGEMENT		
EFFECTIVE DATE: 2/15/2024			ORIGINAL EFFECTIVE DATE: 08/16
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.

