

**SILVER CROSS EMERGENCY MEDICAL SERVICES SYSTEM****TITLE: PATIENT'S RIGHT TO REFUSE EMERGENCY MEDICAL SERVICES****POLICY:**

The System recognizes the qualified patient's right to make informed decisions about their health care including the right to refuse emergency medical services and/or transportation to a health care facility.

**I. Patient Refusal of Services**

- A. A patient is considered qualified to refuse emergency medical services and/or transportation under the following conditions:
1. The patient is 18 years old or older and is considered legally competent to make her/his own decisions.
  2. The patient is not under the influence of any substance that may interfere with her/his capacity to make an informed decision.
  3. The patient appears to be capable of making rational judgments at the time of the call (is alert, oriented and answering questions appropriately) and is not under the protective custody of a law enforcement officer.
  4. The patient has executed a legally enforceable advanced directive (DNR or Durable Power of Attorney for Health Care) which is valid according to the criteria established by the Illinois Department of Public Health (refer to system policy manual page 300-50 for further definition).
  5. The patient is a minor and meets the criteria defined in the Minor Patient/Guardian Consent policy (manual page 300-47).
- B. A qualified patient may refuse any and all aspects of emergency medical services including the following:
1. The refusal of all care and transportation.
  2. The acceptance of transport but the refusal of care or specific aspects of care.
  3. The acceptance of care and transport but at the Basic Life Support level only.
  4. The acceptance of care but refusal of transport.
  5. The acceptance of care but the refusal of transport to the closest hospital with corresponding approval from the Resource Hospital.

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**POLICY:** CONTINUED

**II. Procedure for Patient Refusals**

- A. Every effort should be made to perform an assessment to the extent allowed by the patient regardless of the refusal of services.
- B. The patient, or legally empowered decision-maker, must be advised of the assumed risk of refusing services and encouraged to follow-up with alternative sources of care.
- C. If on-scene medical personnel determine that the patient may not be qualified, the Resource Hospital should be contacted immediately for further direction. Intervention by Law Enforcement may also be considered at this point.
- D. The patient, guardian or legally empowered decision-maker must sign the refusal portion of the ambulance run form. Full documentation of the refusal must be completed utilizing a System approved Refusal Form either electronically or paper (as in the Release of Liability form attached to this policy).
- E. It is highly advised that refusal reports should be called in to the Resource Hospital for taping verification.

**ATTACHMENT:** SCEMSS RELEASE OF LIABILITY FORM

**EFFECTIVE DATE:** 08-15-89

**REVISED DATE:** 12-27-13

**REVIEWED DATE:**

