



PATIENT REFUSAL OF CARE - ADULT

I. PURPOSE

To provide direction for EMS field personnel when an individual refuses their advice that treatment and/or transport is indicated.

II. AUTHORITY

California Health and Safety Code, Division 2.5, Section 1797.220

III. DEFINITIONS

Against Medical Advice (AMA): A term used to when an individual refuses treatment and/or transport after EMS field personnel advise that it is indicated.

Consent: Consent is defined as the agreement and acceptance as to opinion or course of action.

Emergency: A condition or situation in which an individual has a need for immediate medical attention, or where the potential for such need is perceived by emergency medical personnel or a public safety agency (California Health and Safety Code, Division 2.5, Section 1797.70).

IV. PRINCIPLE

If a competent, conscious patient or legal guardian refuses care offered, or requests to be transported to a hospital other than the nearest, medically appropriate facility, the patient's request should be honored, when possible.

All AMAs shall be fully documented to acknowledge that the individual may benefit from assessment, treatment and/or transport refused the advice of EMS field personnel. Documentation shall acknowledge that the advice is to protect the individual and the EMS services and that the decision was that of the individual.

EMS field personnel may refuse a request to transport a patient to a more distant facility that is outside of their service area provided they offer transportation to an appropriate medical facility. In the event the patient or legal guardian insists upon transport and the transporting ambulance agrees to transport to a more distant facility, the signature of the patient or legal guardian must be obtained on the patient care record and base hospital contact made.

V. CONSENT

1. Immediately required treatment should not be delayed to obtain consent.
2. An individual has the responsibility to consent to or refuse treatment. If he/she is unable to do so, consent is then considered implied.
3. In non-emergency cases, consent should be obtained from the individual.
4. For treatment of minors or a definition of emancipated minors refer to ICEMA Reference #9080 - Care of Minors in the Field.

VI. MEDICAL DECISION MAKING CAPACITY

1. An individual has medical decision making capacity if he or she:
 - a. Is capable of understanding the nature and consequences of the proposed treatment and refusal of such treatment.
 - b. Has sufficient emotional control, judgment and discretion to manage his or her own affairs
2. An individual having an understanding of what may happen if treated or not treated, and is oriented to person, place, time and purpose.
3. An individual with an altered level of consciousness will be unlikely to fulfill these criteria.
4. If the individual is not deemed mentally competent, the person should be treated and transported. Attempt to obtain law enforcement concurrence in these circumstances.

VII. REFUSAL OF CARE DOCUMENTATION

The following information should be carefully documented on the patient care record:

1. The individual's chief complaint, mechanism of injury, level of orientation/level of consciousness.
2. Base hospital contact per ICEMA Reference #5040 - Radio Communication Policy.
3. Any medical treatment or evaluation needed and refused.
4. The need for emergency transportation; also if transport by means other than an ambulance could be hazardous due to the individual's injury or illness.

5. Individual advised that potential harm could result without emergency medical treatment and/or transport.
6. Individual provided with a refusal advice sheet, and if he or she would accept the refusal advice sheet.
7. A copy of the patient care record with the individual's signature of refusal will be kept by the EMS provider agency per ICEMA Reference #2010 - Requirements for Patient Care Records.

V. REFERENCE

<u>Number</u>	<u>Name</u>
2010	Requirements for Patient Care Records
5040	Radio Communication Policy
9080	Care of Minors in the Field