

	SOUTHERN FOX VALLEY EMERGENCY MEDICAL SERVICES SYSTEM POLICY & PROCEDURES	
TITLE: DURABLE POWER OF ATTORNEY FOR HEALTH CARE		
SECTION: GENERAL POLICIES	POLICY NUMBER: D-15.0	
APPROVED BY: DR. ARTHUR PROUST EMS MEDICAL DIRECTOR		
EFFECTIVE DATE: 06/30/1995	PAGE NUMBER: 1 OF 2	

#### PURPOSE:

To define the roles of Health Care Power of Attorney and/or surrogate decision maker in the pre-hospital setting.

#### POLICY:

For the purposes of this policy durable power of attorney for health care is defined as:

- a. Power granted in a document signed by the patient.
  - b. The document must describe the scope of authority given to the agent (e.g. all health care decisions, all health care decisions except for specific items, only specific healthcare decisions).
  - c. The document must describe when it goes into effect (i.e. a specific date or when the patient becomes incompetent).
2. A surrogate decision maker is a person identified by a patient's physician and only makes decisions regarding life sustaining treatments on behalf of the patient. The surrogate decision maker can only express the patient's wishes to the physician and not the pre-hospital provider.
  3. When confronted with a person claiming to have health care power of attorney the EMT should ask to see the document and have the agent point out the language that confirms that power and covers the current situation.
    - a. If the document is in effect and covers the current situation, the EMT may honor the agent's instructions.
    - b. When there is doubt as to the validity of the document, the EMT shall continue treatment, contact medical control, explain the situation, and follow the orders received.
  5. All documents (Durable Power of Attorney for Health Care, Living Wills, DNRs) should be brought with the patient to the receiving hospital.
  6. Resuscitation can only be withheld in the presence of a valid "DNR/POLST" form written by a physician (see Policy D-14).

7. Under no circumstances can durable power of attorney for health care be exercised without the written document.
8. Pre-hospital providers cannot accept instructions from a surrogate decision maker.
9. A spouse or other relative on the scene has no legal authority to give or withhold consent on behalf of the patient.

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