

# The Patient Self-Determination Act



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**T**he Patient Self-determination Act is a federal law that requires hospitals to “provide written information” to adult inpatients concerning “an individual’s right under state law to make decisions concerning medical care, including the right to accept or refuse medical or surgical treatment and the right to formulate advance directives.” To help patients make these choices, Colorado law provides for advance directives. This brochure outlines what advance directives are and what Colorado statutes require.

### **Advance Directives**

Advance directives are papers that state a patient’s choices for treatment. This includes decisions like refusing treatment, being placed on life support, and stopping treatment at a point the patient chooses. It also includes requesting specific life sustaining treatments.

There are several kinds of advance directives. The three that are most common are the living will; durable power of attorney for healthcare and the pre-hospital do not resuscitate order.

### **The Living Will**

A form that states that life sustaining procedures should be withheld or withdrawn. This only goes into effect when the patient can no longer make decisions. Medical procedures which are necessary to provide comfort or pain relief are not considered life-sustaining procedures. For the Living Will to be effective, two physicians must personally examine the patient and determine that the patient has a terminal illness. The physicians must agree that death will occur with or without intervention. The living will must be notarized or signed by two witnesses. These witnesses must be two adults that are not involved with the patient’s care or financially responsible for the patient.

### **The Durable Power of Attorney for Health Care**

A form in which a person gives someone else the right to make decisions about their health care. This person is called an “agent”. An agent cannot be a physician or other health care provider, unless the health care provider is related by blood or marriage to the person signing the document. This document must also be notarized or signed by two witnesses. These witnesses must follow the same criteria as the Living Will.

### **The Pre-Hospital “Do Not Resuscitate Request”**

A form that lets the patient prohibit medical procedures outside the hospital. The form must be signed by a doctor and given to emergency personnel if they are called.

The Orthopaedic & Spine Surgery Center of Southern Colorado will not discriminate against those patients who have or have not completed an Advance Directive.

The Patient Self-Determination Act requires that all adult patients be provided with written information concerning the right to formulate an Advance Directive. All patients will be questioned as to the existence of an advance directive and provided with information if they so desire.

For all Advance Directives to be effective, copies must be placed on the chart upon admission. If, for any reason the hospital or the physician cannot carry out the wishes of the Advance Directive, the patient will be transferred to another physician or hospital that is willing to follow the instructions.

For further information please visit the website at:

[www.caringinfo.org/stateadownload](http://www.caringinfo.org/stateadownload)

or

1-800-658-8898

***The Orthopaedic & Spine Center of Southern Colorado respects your right to participate in decisions regarding your health care. Our policy is that we will use all measures possible to sustain life.***