

WHAT IS AN OUT-OF-HOSPITAL DO NOT RESUSCITATE ORDER?

AND WHO NEEDS ONE?

Let's assume you have an Advanced Directive for Healthcare which includes a Do Not Resuscitate (DNR) Order for hospital and unit care professionals. However, if you have a medical event and an ambulance is called, the emergency medical services team will still provide treatment. In November 2006, Pennsylvania enacted the Out-Of-Hospital Nonresuscitation Act which empowers you or your medical agent to give notice of your out-of-hospital DNR.

This Act was created due to legislative findings, which revealed that although cardiopulmonary resuscitation (CPR) has saved the lives of individuals about to experience sudden, unexpected death, present medical data indicates that CPR rarely leads to prolonged survival in individuals with terminal illnesses for whom death is expected. In fact, the findings further revealed that the performance of CPR may inflict unwanted and unnecessary pain and suffering.

What is an out-of-hospital do not resuscitate (DNR) order? An out-of-hospital DNR order is a written order which is issued by an individual's attending physician directing Emergency Medical Services (EMS) providers to withhold CPR from the individual in the event of that individual's cardiac or respiratory arrest.

What does this really mean? If an ambulance is called to attend to a person for whom an out-of-hospital DNR order has been issued and the ambulance crew observes the out-of-hospital DNR order with the original signature of the person, or observes that the person is wearing an out-of-hospital DNR bracelet or necklace, then the ambulance crew will not attempt CPR. However, the EMS crew will still provide other medical intervention, which is necessary and appropriate to provide comfort and alleviate pain, including intravenous fluids, medications, and oxygen.

Who is permitted to request an out-of-hospital DNR order? A person who has an end-stage medical condition, who is competent and 18 years of age or older, or if under 18 years of age, has graduated from high school, has been married, or is emancipated, may request an out-of-

hospital DNR order. In addition, a person may confer this right to another individual by issuing an Advanced Directive for Health Care or Living Will, which makes it clear that he would want an out-of-hospital DNR order.

What is an end stage medical condition? An “end stage medical condition” is an incurable and irreversible medical condition in an advanced stage caused by injury, disease, or physical illness that will, in the opinion of the attending physician, to a reasonable degree of medical certainty, result in death, despite the introduction or continuation of medical treatment.

How is an out-of-hospital DNR order obtained? The person or the person’s surrogate under an Advanced Directive for Healthcare or Living Will must contact the person’s attending physician and request an out-of-hospital DNR order. The attending physician will determine whether the person for whom the DNR order is sought qualifies for an out-of-hospital DNR order and, if the person does qualify, the attending physician may issue the order for the person. In addition, the attending physician can secure and issue an out-of-hospital DNR bracelet or necklace, or both, for the person, if desired.

When an individual faces end of life decisions, it is not only important to have an Advanced Directive for Healthcare or Living Will; the individual should be aware of the other options available to him/her, such as the out-of-hospital DNR order. In order to obtain additional information concerning end of life decision-making issues, you should consult a local and experienced attorney whose practice concentrates on estate planning and elder law.

Hartle Elder Law Practice, LLC
2500 Highland Road, Suite 105
Hermitage, PA 16148
(724) 962-3606

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