

Lakeland Care, Inc.	
Advance Directives Policy	
Affected LCI Units: Care Management	
Effective Date: January 1, 2017	Last Review Date: November 2014

Purpose:

In compliance with the federal and state Patient Self-Determination Act, Lakeland Care, Inc. (LCI) encourages members to clarify medical treatment preferences while they are mentally and/or physically capable of doing so. An individual can do this through the execution of an advance directive, which includes any of the following:

- Living Will specifying preferences for medical care, e.g. a desire for treatment options
- Power of Attorney for Healthcare specifying the person (agent) designated to make decisions about medical interventions in the event the person becomes incapable of doing so.
- Do Not Resuscitate Order specifying a competent and fully capacitated member's desire to refuse resuscitation.
- Other verbal or written documentation specifying the person's treatment preferences or refusal of specific treatments or medical care.

Scope:

Any competent LCI member may voluntarily execute an Advance Directive.

Policy:

Lakeland Care, Inc. will:

- Ensure compliance with related state regulations related to execution of Advance Directives.
 - Provide all members with information about their rights under state law to make decisions about their medical care, to accept or refuse medical or surgical treatment, and to formulate an advance directive.
 - Provide all members with information about their right to file a complaint with the Department of Health and Family Services, Bureau of Quality Assurance, regarding noncompliance with advance directive requirements.
 - Assist any member, if requested, in filing a complaint with the Bureau of Quality Assurance regarding noncompliance with advance directive requirements.
 - Document in the member's record whether or not he/she has executed an advance directive.
 - Inform members about LCI's policy and procedure on advance directives.
 - Provide referral to appropriate community resources, including the resource center, for any member or individual seeking assistance in the preparation of advance directives.
 - Be objective and provide fair treatment by not basing the provision of care or otherwise discriminating against a member on whether or not the member has executed an advance directive.
 - Provide staff and the community with education on advance directive issues including information and/or training about ways to recognize and minimize or eliminate any potential conflicts of interest associated with

providing counseling and assistance to members in executing advanced directives.

- Will not discriminate in the provision of care to members based on the presence or absence of an Advance Directive.

Definitions:

Living Will: *A Declaration to Physicians/Living Will* authorizes the withholding or withdrawal of life-sustaining procedures or of feeding tubes when two (2) physicians, one of whom is the attending physician, have personally examined and certified in writing that the patient has a terminal condition or is in a persistent vegetative state.

Power of Attorney for Health Care: *A Power of Attorney for Health Care* authorizes a competent adult to designate another person(s) (health care agent) to make decisions on their behalf about their medical care in the event they become incapacitated.

Incapacity: the inability to receive and evaluate information effectively or to communicate decisions to such an extent that the individual lacks the capacity to manage his or her health care decisions.

Reference:

Department of Health Services (DHS) Contract

Approval:



Katherine L. Mruk, Lakeland Care, Inc.
Chief Executive Officer

11/24/14
Date