

EL DORADO COUNTY EMS AGENCY

FIELD POLICIES

Effective: July 1, 2012

Reviewed: April 2012

Revised: July 1, 2016

Scope: BLS and ALS Personnel



EMS Agency Medical Director

REFUSAL OF CARE AND/OR TRANSPORTATION

PURPOSE:

To define criteria and establish guidelines to be followed when a patient refuses emergency medical treatment and/or transportation.

DEFINITIONS:

Against Medical Advice (AMA) - Means a competent patient who is determined by EMS personnel to have a medical problem which requires the immediate treatment and/or transportation capabilities of the EMS system, and who has been advised of his/her condition and the known and unknown risks and/or possible complications of refusing medical care, and who still declines medical care.

Competent - Means the patient has the capacity to understand the circumstances surrounding his/her illness or impairment, and the risks associated with refusing treatment or transport. The patient is alert and his/her judgment is not significantly impaired by illness and/or injury.

Emancipated - Means an individual under the age of 18 years who is married, on active duty in the military, 15 years or older living separate and apart from his/her parent(s), or 14 years or older and emancipated by declaration of Superior Court.

Person - Means any individual encountered by EMS personnel who, in the judgment of the EMS personnel, does not demonstrate any known/suspected illness or injury. He/she may be released without a PCR being completed.

Patient - Means any individual encountered by EMS personnel who, in the judgment of the EMS personnel, demonstrates a known or suspected illness or injury.

POLICY:

- 1) A competent patient, while suffering from an illness or injury, may decline all or part of the indicated emergency treatment and/or transportation. A patient may not refuse emergency treatment and/or transportation if any of the following factors are present:
 - a. Impaired capacity to understand the emergent nature of his/her medical condition due, but not limited to, alcohol, drugs or medications, mental illness, traumatic injury, or grave disability.
 - b. When the patient is less than age 18 and is not emancipated.
- 2) EMS field personnel will render treatment and transportation to all patients (and complete a PCR) under the following conditions:
 - a. When it is medically indicated.
 - b. When treatment or transportation is requested by the patient.
 - c. When evidence of impaired capacity exist.
 - d. When the patient is less than age 18 and is not emancipated.
- 3) In order for a patient to refuse treatment and/or transportation two events must occur to protect both the patient and yourself: 1) You must give the patient enough information about the decision

they are making so that there is an informed consent, and; 2) You must be satisfied that the patient has understood the risk and options concerning their decision.

4) Refusal of Care Against Medical Advice (AMA) Procedures:

- a. For patients who refuse part or all of any indicated emergency treatment and/or transportation, and, in the EMS field personnel's judgment, require treatment and/or transportation, the following steps shall be taken:
- b. Have both partners offer treatment and/or transport.
- c. Consider involvement of law enforcement early if:
 - There is a threat to self or others
 - Threat of grave disability.
 - The patient is a Minor who is adamantly refusing treatment and/or transport.
Consent for a Minor to refuse treatment and transport may be acquired by phone, if a legal guardian can be reached. The Medic should document to whom they spoke with, and phone number they were reached by.
- d. Patients continuing to refuse treatment/transport despite the foregoing measures should sign an appropriate AMA form witnessed by one of the following in order of preference:
 - Immediate family member.
 - Law enforcement officer.
 - Other EMS personnel.
- e. Patients continuing to refuse treatment/transport despite the foregoing measures and who refuse to sign the appropriate AMA form shall have this documented on the PCR. Document on the AMA form that the patient refused to sign and witness the AMA form as noted above.
- f. Patients continuing to refuse treatment/transport despite the foregoing measures shall be read the Medical Miranda Rights*.
- g. It is highly advisable to make base consultation for all refusal patients meeting these high risk criteria, even if they are no longer experiencing the signs or symptoms:
 - ALOC
 - Age <4 or >65
 - Abnormal vital signs (BP <90 or >200 systolic, HR <50 or >110/min, or RR <12 or >30/min)
 - Head injury and/or ETOH
 - Trauma plus anticoagulant therapy
 - Chest pain
 - Dyspnea
 - Syncope
- h. Documentation for all AMA patient refusals of treatment and /or transport shall be thoroughly documented on the PCR. **Documentation shall include use of the Medical Miranda Rights**

NOTE: If a patient has signed the AMA and then changes his or her mind and request transport, the following steps shall be taken:

- **Transport the patient to the appropriate receiving facility**
- **Document on the PCR that the patient initially refused transport, but changed their mind and decided to be transported**
- **On the PCR, "line out" the patients AMA signature and have the patient initial the change**
- **Document the transport as per the El Dorado County Medic Unit Documentation Policy**

*MEDICAL MIRANDA RIGHTS

MEDICAL MIRANDA CARD
Patient Refusal Rights and Information

In order for a patient to refuse treatment and/or transportation, 2 events must occur to protect both the patient and yourself:

1. You must first insure that there are no life or limb threatening injuries or illnesses that would place this patient's life in jeopardy if left untreated.
2. You must give the patient enough information about the decision they are making so that there is an informed consent. You must be satisfied that the patient has understood the risk and options concerning their decision.

EMS has provided a checklist of Patient Refusal Information Instructions on the reverse of this card. Carefully read their "rights" point by point so that you are certain they understand what they are agreeing to. After reading them their "patient's rights" have them sign the refusal section of the PCR or patient refusal form.

MEDICAL MIRANDA CARD
Patient Refusal Rights and Information

You are refusing medical treatment and/or transport. Your health and safety are our primary concern, please remember the following:

1. Our evaluation and/or treatment is not a substitute for medical evaluation and treatment by a doctor. We advise you to see a doctor or go to a hospital emergency department.
2. Your condition may not seem as bad to you as it actually is. Without treatment, your condition or problem could become worse.
3. If you change your mind or your condition becomes worse please don't hesitate to call us back, by dialing 911. We will do our best to help you.
4. Don't wait! When medical treatment is needed, it's usually better to get it right away.

SPECIAL CONDITIONS:

5. Your condition has been discussed with a doctor at the hospital by radio or telephone and the advice given to you has been issued or approved by the doctor.
6. FOR MINORS: Instruct the patient's legal guardian that in this situation they are acting on behalf of the patient and they understand the above information regarding refusal of treatment or transport, and accept responsibility for the patient."