



## **PATIENT SELF DETERMINATION ACT for Implementing Patients' Rights to Participate in Health Care Decision Making**

This policy statement is provided by Health Plans from VNS Health in accordance with the federal Patient Self-Determination Act of 1990 and the New York State laws governing health care decision-making. These laws require home health agencies to provide written information to each adult patient being admitted to the agency for care concerning the agency's policies for implementing a patient's rights to make health care decisions and to execute advance directives. These rights are discussed in more detail in the accompanying materials.

Health Plans from VNS Health respects the rights of each adult to participate in health care decision making to the maximum extent of his or her ability and respects all rights consistent with New York State Law, and has instituted specific policies and procedures to ensure that a patient's health care decisions are followed.

1. **Information to Patient:** The plan will provide the following written information to each adult at the time of admission to the agency for care:
  - a. **Making Decisions About Your Medical Care: Information for Patients.**
  - b. Two pamphlets prepared by the New York State Department of Health. These are **Planning in Advance for Your Medical Treatment** and **Appointing Your Health Care Agent- New York State's Proxy Law.**
  - c. This document is the Health Plans from VNS Health policy regarding the right of each adult to make health decisions and formulate advance directives.
  
2. **Definitions:** An "advance directive" is a written instruction relating to the provision of health care when an adult becomes incapacitated, including, but not limited to, a health proxy, a living will, and consent to or request for the issuance of an order not to resuscitate.
  - a. **Health Care Proxy:** A document delegating to another adult, known as a health care agent, the authority to make health care decisions on behalf of

the individual in the future if he/she becomes incapable of making his or her own health care decisions.

b. **Living Will**: A document which contains specific instructions concerning an individual's wishes about the type of health care choices and treatments that he or she does or does not want to receive, but which does not designate an agent to make health care decisions.

c. **Consent to or Request for the Issuance of an Order Not to Resuscitate (A "DNR order")**: A living will that consents to or requests a doctor's order not-to-resuscitate (a "DNR order"). Under such an order, health care providers are not to attempt cardiopulmonary resuscitation ("CPR") in the event the patient suffers cardiac or respiratory arrest. A request for such an order can be expressed in a health care proxy or living will.

3. **Documentation**: The plan will document in the patient's medical record whether or not the patient has executed an advance directive. If made available to us, a copy of such advance directive shall be included in the patient's medical record.

4. **Compliance with Law**: The plan will comply with all applicable New York State law regarding advance directives, including statutes and court decisions.

5. **Non-Discrimination**: The plan will not condition the provision of care or otherwise discriminate against any individual based on whether or not the individual has executed an advance directive.

6. **Education**: The plan will provide education to staff and the community on issues regarding patient decision-making.