

HB 401 -- Emergency Services

Sponsor: Bruns

This bill creates an out-of-hospital do-not-attempt-to-resuscitate order (OHDNARO), a copy of which must be included in the patient's medical record. The Department of Health and Senior Services must develop and approve uniform OHDNARO forms and uniform personal identifiers. The identifiers must alert any emergency medical technician, paramedic, first responder, or other health care provider of the existence of an OHDNARO for the patient.

The bill specifies the information that must be included on the OHDNARO form and requires emergency medical technicians, paramedics, first responders, and other health care providers to withhold or withdraw an attempt to resuscitate a patient outside a hospital when notified of an OHDNARO. Emergency medical technicians, paramedics, first responders, or other health care providers are not required to affirmatively inquire about the existence of an order. The wishes of family members or other individuals not authorized in the order to act on the patient's behalf cannot supersede a valid OHDNARO.

If there is uncertainty about the validity or applicability of an OHDNARO, the emergency medical technician, paramedic, first responder, or health care provider must attempt necessary and appropriate resuscitation. Compliance or non-compliance with an OHDNARO must be documented, and hospitals are not precluded from honoring an OHDNARO. The bill lists individuals and entities that are exempt from civil or criminal liability for withholding or withdrawing resuscitation pursuant to an OHDNARO as long as the actions were performed in good faith and without gross negligence.