

HB 1506 -- Physician Orders for Scope of Treatment

Sponsor: Bruns

This bill establishes the Missouri Physician Orders for Scope of Treatment Act and requires the Department of Health and Senior Services to develop, implement, and promulgate rules on or before December 31, 2006, regarding the use of a physician orders for scope of treatment (POST) form and personal identifiers. Standardized POST forms and POST personal identifiers will assist emergency medical services personnel and health care providers in carrying out the treatment wishes of patients. POST forms are to be issued on bright, pink-colored paper and, unless otherwise specified, must be the first page of a patient's medical record in a health care facility.

All POST forms must provide the orders of an attending physician regarding cardiopulmonary resuscitation; whether the patient has completed a living will, advanced directive, health care directive, durable power of attorney for health care, or had a guardian appointed; the date, location, and outcome of any review of the form; and the signature of the attending physician, patient, and if applicable, the patient's representative. This form must accompany a patient when transferred from one health care facility to another, and the transferring facility must inform the receiving facility of the existence of the POST document prior to the transfer.

Upon admittance to another health care facility, the attending physician must review and, if necessary, make changes to the form. Emergency medical services personnel are required to document compliance or noncompliance with a POST form or personal identifier and, if possible, the reasons for not complying with the order. If an individual does not have a POST form with an order not to attempt to resuscitate or a personal identifier, all emergency medical services personnel must attempt to resuscitate the patient.

A form or personal identifier is revoked once a patient or a patient's designated representative is able to communicate his or her wishes. An attending physician who is informed of the patient's wish to revoke must immediately cancel the patient's physician orders for scope of treatment and, if necessary, notify the staff of the health care facility.

Any person or entity who complies with the orders in a POST form or personal identifier will not be held civilly or criminally liable. Any person or entity who provides cardiopulmonary resuscitation or other life-sustaining treatment to a patient who in good faith was not aware of the POST form or identifier,

believed it to be revoked, or thought the physician's authorization or issuance had been revoked will not be held civilly or criminally liable.