

REFERENCE TITLE: **electronic do not resuscitate orders**

State of Arizona
Senate
Fifty-first Legislature
Second Regular Session
2014

SB 1154

Introduced by
Senators Ward, Burges; Representative Borrelli: Senators Ableser, Bradley,
Murphy

AN ACT

**AMENDING SECTION 36-3251, ARIZONA REVISED STATUTES; RELATING TO PREHOSPITAL
MEDICAL CARE DIRECTIVES.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 36-3251, Arizona Revised Statutes, is amended to read:

36-3251. Prehospital medical care directives: form: effect: immunity: definition

A. Notwithstanding any law or a health care directive to the contrary, a person may execute a prehospital medical care directive that, in the event of cardiac or respiratory arrest, directs the withholding of cardiopulmonary resuscitation by emergency medical system and hospital emergency department personnel. For the purposes of this article, "cardiopulmonary resuscitation" includes cardiac compression, endotracheal intubation and other advanced airway management, artificial ventilation, defibrillation, administration of advanced cardiac life support drugs and related emergency medical procedures. Authorization for the withholding of cardiopulmonary resuscitation does not include the withholding of other medical interventions, such as intravenous fluids, oxygen or other therapies deemed necessary to provide comfort care or to alleviate pain.

B. A prehospital medical care directive shall be printed on an orange background and may be used in either letter or wallet size. The directive shall be in the following form:

Prehospital Medical Care Directive

(side one)

In the event of cardiac or respiratory arrest, I refuse any resuscitation measures including cardiac compression, endotracheal intubation and other advanced airway management, artificial ventilation, defibrillation, administration of advanced cardiac life support drugs and related emergency medical procedures.

Patient: _____ date: _____

(Signature or mark)

Attach recent photograph here or provide all of the following information below:

Date of birth _____ sex _____

Eye color _____ hair color _____ race _____

Hospice program (if any) _____

Name and telephone number of patient's physician _____

(side two)

I have explained this form and its consequences to the signer and obtained assurance that the signer understands that death may result from any refused care listed above.

_____ date _____

(Licensed health care provider)

I was present when this was signed (or marked). The patient then appeared to be of sound mind and free from duress.

_____ date _____

(Witness)

C. A person who has a valid prehospital medical care directive pursuant to this section may wear an identifying bracelet on either the wrist or the ankle. The bracelet shall be substantially similar to identification bracelets worn in hospitals. The bracelet shall be on an orange background and state the following in bold type:

Do Not Resuscitate

Patient: _____

Patient's physician: _____

D. If the person has designated an agent to make health care decisions under section 36-3221 or has been appointed a guardian for health care decisions pursuant to title 14, that agent or guardian shall sign if the person is no longer competent to do so.

E. A MEDICAL IDENTIFICATION BRACELET OR NECKLACE THAT CONTAINS AN ELECTRONICALLY UPLOADED PREHOSPITAL MEDICAL CARE DIRECTIVE THAT MEETS THE REQUIREMENTS OF THIS SECTION MAY BE USED BY FIRST RESPONDERS TO DETERMINE A PERSON'S WISHES INSTEAD OF A PRINTED DIRECTIVE OR AN ORANGE IDENTIFYING BRACELET.

~~E.~~ F. A prehospital medical care directive is effective until it is revoked or superseded by a new document.

~~F.~~ G. Emergency medical system and hospital emergency department personnel who make a good faith effort to identify the patient and who rely on an apparently genuine directive or a photocopy of a directive on orange paper **OR ON AN APPARENTLY GENUINE DIRECTIVE THAT HAS BEEN ELECTRONICALLY UPLOADED ON A MEDICAL IDENTIFICATION BRACELET OR NECKLACE** are immune from liability to the same extent and under the same conditions as prescribed in section 36-3205. If a person has any doubt as to the validity of a directive or the medical situation, that person shall proceed with resuscitative efforts as otherwise required by law. Emergency medical system personnel are not required to accept or interpret medical care directives that do not meet the requirements of this section.

~~G.~~ H. In the absence of a physician, a person without vital signs who is not resuscitated pursuant to a prehospital medical care directive may be pronounced dead by any peace officer of this state, a professional nurse licensed pursuant to title 32, chapter 15 or an emergency medical technician certified pursuant to this title.

~~H.~~ I. This section does not apply to situations involving mass casualties or to medical emergencies involving children and disabled adults in public or private schools that are not licensed health care institutions as defined in section 36-401.

1 ~~I.~~ J. After being notified of a death by emergency medical system
2 personnel, the person's physician or the county medical examiner is then
3 responsible for signing the death certificate.

4 ~~J.~~ K. The office of emergency medical services in the department of
5 health services shall print prehospital medical care directive forms and make
6 them available to the public. The department may charge a fee that covers
7 the department's costs to prepare the form. The department and its employees
8 are immune from civil liability for issuing prehospital medical care
9 directive forms that meet the requirements of this section. A person may use
10 a form that is not prepared by the department of health services if that form
11 meets the requirements of this section. If an organization distributes a
12 prehospital medical care directive form that meets the requirements of this
13 section, that organization and its employees are also immune from civil
14 liability.

15 ~~K.~~ L. Any prehospital medical care directive prepared before April
16 24, 1994 is valid if it was valid at the time it was prepared.

17 ~~L.~~ M. For the purposes of this section, "emergency medical system
18 personnel" includes emergency medical technicians at all levels who are
19 certified by the department of health services and medical personnel who are
20 licensed by this state and who are operating outside of an acute care
21 hospital under the direction of an emergency medical system agency recognized
22 by the department of health services.