

Patient Refusals

Aliases

Against medical advice

Refusal of treatment

Refusal of transport

Patient Care Goals/Patient Presentation (Overview)

If an individual (or the parent or legal guardian of the individual) refuses secondary care and/or ambulance transport to a hospital after prehospital clinicians have been called to the scene, clinicians should determine the patient's capacity to make decisions. Competency is generally a legal status of a person's ability to make decisions. However, state laws vary in the definition of competency and its impact upon authority. Therefore, one should consult with the respective state EMS office for clarification on legal definitions and patient rights.

Patient Management

Assessment

1. Decision-Making Capacity
 - a. An individual who is alert, oriented, and can understand the circumstances surrounding his/her illness or impairment, as well as the possible risks associated with refusing treatment and/or transport, typically is considered to have decision-making capacity
 - b. The individual's judgment must also not be significantly impaired by illness, injury, or drugs/alcohol intoxication. Individuals who have attempted suicide, verbalized suicidal intent, or had other factors that lead EMS clinicians to suspect suicidal intent, should not be regarded as having decision-making capacity and may not decline transport to a medical facility

Treatment and Interventions

1. Obtain a complete set of vital signs and complete an initial assessment, paying particular attention to the individual's neurologic and mental status
2. Determine the individual's capacity to make a valid judgment concerning the extent of his/her illness or injury; if the EMS clinician has doubts about whether the individual has the mental capacity to refuse or if the patient lacks capacity, the EMS clinician should contact medical direction
3. If patient has capacity, clearly explain to the individual and all responsible parties the possible risks and overall concerns with regards to refusing care and that they may reengage the EMS system if needed
4. Perform appropriate medical care with the consent of the individual
5. Complete the patient care report clearly documenting the initial assessment findings and the discussions with all involved individuals regarding the possible consequences of refusing additional prehospital care and/or transportation

Notes/Educational Pearls

Key Considerations

1. An adult or emancipated minor who has demonstrated possessing sufficient mental capacity for making decisions has the right to determine the course of his/her medical care, including the refusal of care