

Frequently Asked Questions Physician Orders for Scope of Treatment POST

Adapted—Idaho Emergency Medical Services Bureau*

The following document is intended as a general guide to answer questions concerning the Idaho POST (the new Do Not Resuscitate program). This document should not be considered legal advice. The numbers in italics following each question are citations from Idaho Code that pertain to the question.

What is a POST?

A **POST is a Physician Orders for Scope of Treatment**. A POST is a standardized form that allows a person to express his/her treatment wishes in advance of needing medical treatment. An example of a completed POST form is located on page 37.

39-4502(12) & 39-4512A

Is there identification jewelry associated with the POST like there was with Comfort One/DNR?

Yes. Identification wristbands and jewelry are available for those who that elect "Do Not Resuscitate" in Section A of their POST form. Information and an order form for the jewelry is found in Appendix D.

39-4502(13)

When is it appropriate to complete a POST?

Completing a POST form is appropriate in cases where a patient has an incurable or irreversible injury, disease, illness or condition, or where a patient is in a persistent vegetative state. A POST form is also appropriate if such conditions are anticipated.

39-4512A(1)

How can I get a POST form?

You can get a POST from your physician, who will also discuss the form with you and help you complete the POST form.

39-4512A(3)

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www.idahoems.org. Accessed 9-1-2008

I have selected “Do Not Resuscitate” on my POST form. Must I wear the DNR jewelry?

No, the jewelry is not required. Be aware, however, that the identifying jewelry will help Emergency Medical Services personnel discover and honor your choice to not be resuscitated. 39-4512A(5)

Is a copy of my POST form valid, or must I have the original?

A photocopy or fax copy of a physician-signed POST form is valid. 39-4514(8)(b)

I understand that I can register my advance directive with the Idaho Secretary of State. Is registration mandatory?

Registration of your advance directive (POST, living will, or durable power of attorney for health care) with the Secretary of State Office is not mandatory. However, registering your advance directive will provide an archive copy of the document, which will make the directive available to medical personnel if needed. (See Section 6.) 39-4514(9)

Can the person who I designate in my durable power of attorney for health care advance directive override the choices I made on my POST form?

Your health care power of attorney cannot override your POST. If there is a conflict, the orders in your POST form should be followed. 39-4512A(2)

Can my health care power of attorney be subject to criminal or civil liability for decisions that he/she makes while exercising his/her responsibilities in regards to the durable power of attorney for health care advance directive?

No. A health care power of attorney acting in good faith cannot be held criminally or civilly liable for his/her actions as a health care power of attorney. 39-4513(3)

Can I revoke a living will, durable power of attorney for health care or POST once I sign it?

Yes. You can revoke any of these advance directives by canceling, defacing, or destroying the document.

- If you are physically unable to destroy the document, you can direct someone to destroy the document for you.

- You may also revoke your advance directive by making an oral or signed written expression of your intent to revoke the directive.
- If you filed a copy of your advance directive in the Idaho Health Care Directive Registry you must notify the Secretary of State's Office that you have revoked your advance directive and want it removed from the registry (1-208-332-2814).
- Note that you are responsible for notifying your physician if you revoke your living will, durable power of attorney for health care, or POST. 39-4511(1), 39-4511(2) & 39-4511(3)

NOTE: The personal revocation of your advance directive (living will, durable power of attorney for health care, and/or POST) is effective immediately and is not time-delayed by the submission and acceptance of a request to remove the advance directive from the Idaho health care directive registry.

Is compliance with the wishes that I stated on my POST form optional, or must health care providers honor my wishes?

Health care providers are required to comply with the instructions on your POST form. 39-4512B (1)

I have chosen to not be resuscitated (DNR) on my POST form. Must I also complete a new DNR order when I check in to a hospital or other health care facility?

A POST form is "portable," meaning that it is valid in all Idaho health care facilities. This means that you do not have to complete multiple DNR orders once you have a completed POST/DNR. 39-4512B(2)

If I transfer from one health care facility to another, is my POST form effective in the new facility?

Yes. Your POST form is effective and valid in all Idaho health care facilities. You should not be required to complete a new DNR order when you transfer to a new facility. 39-4514(8)(a)

Can I be required to execute an advance directive, such as a living will, durable power of attorney for health care, or physician orders for scope of treatment (POST) to receive health care?

No. You cannot be required to complete a living will, durable power of attorney for health care, or physician orders for scope of treatment (POST) form as a condition for being insured or receiving health care services. 39-4514(7)(b)

I have completed a POST form and informed all of my family members. What can I expect from health care providers and emergency medical services personnel if I should require emergency medical care?

If you require emergency medical care, you can expect the following:

- Health care providers and emergency medical services personnel will make reasonable efforts to inquire as to whether you have completed a POST form.
- Health care providers and emergency medical services personnel will check to see if you are wearing POST jewelry.
- Health care providers and emergency medical services personnel are not required to inquire about your POST if you are a victim of severe trauma, mass casualty, homicide, or suicide. If you are a victim of severe trauma, an accident involving mass casualties, or you appear to be a victim of homicide or suicide, you are likely to be treated without regard to your POST.

39-4512C

If I elect Comfort Measures Only in the Medical Interventions section of the POST form (Section B), what sort of care can I expect?

“Comfort care” means treatment and care to provide comfort and cleanliness. You should expect the following:

- Oral and body hygiene
- Food and fluids offered orally
- Medication
- Positioning
- Warmth
- Appropriate lighting and other measures to relieve pain and suffering
- Privacy and respect for your dignity and humanity

39-4502(5) & 39-4514(3)

On my POST form, I indicated that I desire aggressive interventions. Does this mean that my doctor is obligated to provide care that is considered futile?

No. Nothing in the Idaho POST law requires your doctor to pursue care that he or she considers inappropriate or futile. 39-4514(5)

I just moved to Idaho and have an advance directive from another state. Must I complete an Idaho POST?

Not necessarily. As long as the advance directive from the other state complies with the elements of Idaho law, the directive is valid in Idaho. You should consult with your physician or attorney to determine the validity of your out-of-state directive.

39-4514(6)

Is my Idaho POST form valid in other states?

It depends on the laws of the other state. You should check the laws in the state(s) where you plan to visit.

No citation

I am enrolled in the Idaho Comfort One/DNR program from prior to July 1, 2007. Must I now complete an Idaho POST form also?

No. Your Comfort One\DNR is still valid, provided it was signed prior to July 1, 2007. After July 1, 2007, the POST form replaces the Comfort One\DNR as the Idaho Do Not Resuscitate order.

39-4514(6)

If I choose to make an advance directive, will it affect my ability to get or maintain my life insurance?

No. Making a living will and/or durable power of attorney for health care, or POST will not affect your ability to get or maintain life insurance.

39-4514(7)(a)