

Overview Idaho POST

Physician Orders for Scope of Treatment

Peter C. Sisson, CELA, Certified Elder Law Attorney
Legal Liaison, Board of Directors, Idaho End-of-Life Coalition

On July 1, 2007, Idaho's governor signed into law a revision to the Medicaid Consent and Natural Death Act (Idaho Code §§ 39-4501 et seq.). This change created a standardized form that allows all Idaho citizens over age 18 to express their wishes regarding how they want to be treated from a medical perspective. This form is called the Physician Orders for Scope of Treatment, or POST. The POST is a doctor's order and must be signed by your doctor in order to be effective. It replaces the former Idaho Do Not Resuscitate (DNR) and Comfort One programs.

What is a POST?

The Physician Orders for Scope of Treatment (POST) is an extremely important tool with a number of unique features designed to help make sure your wishes are honored if you can no longer speak for yourself to make health care decisions.

The POST is a one-page document designed to help health care professionals (doctors, nurses, emergency medical services, long-term care/nursing home staff) and family members understand a person's goals for care and to honor the treatment wishes of that person. The POST form is a short summary of treatment preferences and a physician's order for care that is easy to read in an emergency situation. The POST form is not intended to replace an advance directive document (living will or durable power of attorney for health care) or other physician orders.

The POST does replace the former Comfort One/DNR as Idaho's recognized Do Not Resuscitate order. While a Comfort One/DNR form that was completed prior to July 1, 2007, is still valid (as are some DNR orders from other states), it is recommended that a POST be created to replace any other forms of DNR orders.

Is the POST valid in all settings?

The POST form accompanies the individual at all times and is "portable" across care settings. This means that the POST form is effective in the home, in EMS (Emergency Medical Services) settings, in the hospital, in a residential care facility such as a nursing home or assisted living facility, while receiving hospice care, or in any other place that the individual is residing.

Who should have a POST?

Cardiopulmonary resuscitation (CPR) is a major element of the POST form and is found at the top of the POST form. It is your choice as to whether CPR is right for you. This depends on your age and health care status. Your physician will give you information to help you make your decision. That is why the POST form is filled out with advice of your physician.

You need to have a POST if:

- You do (or do not) want to receive CPR. A POST form may state that the person does want to receive CPR if he or she experiences cardiac or respiratory arrest or that the principal does want CPR (Full Code versus No Code). Full Code means that you do want CPR. No Code means that you do not want CPR.

- You are severely or terminally ill or elderly. Having a POST in place is advisable for people who are severely or terminally ill or elderly. For older people and those terminally ill, the trauma involved in CPR may do more harm than good. For example, an older person with chronic care issues could have CPR successfully performed thereby restarting the heart and/or lungs after cardiac or pulmonary arrest. However, there may have been oxygen deprivation to the brain prior to or during this process. Such deprivation can cause damage that affects quality of life.
- You do not want to be resuscitated because of personal beliefs. It is not necessary to have a terminal illness in order to have a POST. There is no legal restriction to putting a POST in place for any individuals 18 years or older.

How do I obtain a POST form?

The POST form is obtained by your physician. In order to be valid, a POST must be signed by both the individual (and/or the individual's agent acting under a durable power of attorney for health care) *and* his or her physician. Because the POST is new in Idaho, not all physicians may be familiar with the program. It may be useful to bring a copy of POST Frequently Asked Questions and POST form: Instructions for Physicians with you when you plan to discuss creating a POST with your physician. (These documents can be found at www.IdahoEndofLife.Org)

The POST provides the opportunity to detail the specific directives from other advance care planning tools (durable power of attorney for health care and a living will) on a standardized form. When signed by a physician, this document translates an individual's preferences for life-sustaining treatment into medical orders.

What if I do not have a POST form?

If you do not have a completed POST form with your signature and the signature of your physician and someone calls 911 in an emergency situation, you will be revived with CPR by Emergency Medical Services (EMS) personnel. Emergency personnel are required by law to perform CPR unless a POST tells them not to.

How will EMS know I have a POST?

- A POST must be immediately visible to emergency personnel in order to be honored.
- Having the original signed POST in an accessible place is advisable.
- A special POST bracelet or necklace can be obtained from A Better Way Coalition, Inc. to make it clear that a valid POST is in place and controls the situation. (See "Idaho POST 'DO NOT RESUSCITATE' Jewelry Form")
- A wallet card is available at no cost when you register your POST in the Idaho Health Directives Registry. The card gives health care providers electronic access to your POST document. (See Section 6, Right Choice at the Right Time.)

What about my living will and durable power of attorney for health care?

Use of the POST form is expected to complement your advance directive (living will and durable power of attorney for health care). If you do not have an advance directive in place, please go to Appendix B of RCRT and make a copy of the living will and durable power of attorney for health care form that you can fill out and sign. Make sure you understand this form before you fill it out and sign it. It is best to seek the advice of a health care provider or other professional when filling out this form. Your physician, clergy/spiritual leader, or a social worker at the local hospital may be available to help you with this task. Family input is important.

In states where the POST (also known as "POLST: Physician Orders for Life-Sustaining Treatment") has been adopted, there is a higher user rate for advance directives and people's wishes are followed more often. The POST has been shown to reduce unnecessary hospitalizations and improve end-of-life care planning.

Register your Advance Directives and your POST.

You may register your advance directives (living will and durable power of attorney for health care) and/or your POST in the Idaho Health Care Directive Registry (see Section 6, RCRT). This confidential, secure registry is located within the Idaho Secretary of State's Office and is available at no cost.

The advantage of registering your documents is that all health care providers with Internet access may view these documents through a secure database in an emergency. The health care provider will be able to understand your health care wishes and also obtain contact information for the important people who may need to make health care decisions for you.

Your physician will discuss care options with you and help you complete a POST form. In order for a POST to be valid it must be signed by a physician.

The Idaho POST is a universally recognized document that provides an opportunity for individuals 18 years or older to state their wishes for health care. Valid only when signed by a physician, this one-page document is a Physician Orders for Scope of Treatment and informs emergency medical services and health care personnel of your wishes for cardiopulmonary resuscitation (CPR) and other important treatment options. The POST complements your advance directives (living will and durable power of attorney for health care) and increases the likelihood that your wishes will be respected.