



PALLIATIVE CARE CASE OF THE MONTH

“POLST versus Out-of-Hospital-DNR: A Tale of Two Forms”

by

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Case: JT is an 85-year-old male with widely metastatic lung cancer s/p multiple lines of chemotherapy who presents to the hospital with worsening pleural effusions, pneumonia, and decreased oral intake. He is delirious, and not able to participate in any discussions. He has been clear on his wishes, and his POA transitions to CMO with completion of a POLST (DNR/DNI, comfort focus). He is accepted to the inpatient hospice unit. In the ambulance on the way to hospice, JT goes into cardiac arrest. The paramedics call their command for guidance. While there is a correctly completed POLST indicating DNR/DNI, there is no Out-of-Hospital (OOH) DNR order. Because there is no OOH DNR order, the paramedics are instructed to initiate CPR in accordance with PA State law and the patient is returned to the hospital ER for further management.

Background

Documents such as the POLST and OOH-DNR, along with other advance care planning tools, are designed to clearly identify patients' wishes and help healthcare providers honor these wishes and prevent medical errors. While the above scenario is, hopefully, rare, it is important to understand the differences between a POLST and OOH-DNR form as well as the Pennsylvania laws regarding these documents and how they might inform EMS intervention.

POLST

The POLST (Pennsylvania/Physician Order for Life Sustaining Therapy) has various iterations across all 50 states and the District of Columbia. It is not always called the POLST: in Colorado, it is known as MOST; in Connecticut, the MOLST; Iowa, the IPOST; and Kansas the TPOPP, for example. The original POLST form was created in Oregon in 1995, followed by the creation of the National POLST Paradigm Task Force (National POLST Collaborative) in 2004. Over the years, all states have gradually adopted the POLST in various state-specific iterations.

A POLST is an order generally intended for someone with a prognosis of 1-2 years or less, can be signed by an MD/DO or PA/CRNP and can be completed by a surrogate/POA if the patient lacks capacity to complete. It should be printed on Pulsar Pink card stock (65#). It should reflect the patient's wishes based on an informed discussion of goals and values.¹ A copy/fax of the original is acceptable.

A POLST is NOT legally accepted by PA EMS as an order to withhold CPR while under their care and management. If a patient dies in transit as above, paramedics are required to initiate CPR while they contact their MD command for guidance even if the POLST clearly indicates DNR/DNI. Medical command can then use the POLST to guide management, and order cessation of CPR.²

Out of Hospital DNR (OOH-DNR)

The OOH-DNR originated from the Pennsylvania Do-Not-Resuscitate ACT of 2002, later repealed and replaced with the Out-of-Hospital Nonresuscitation Act which went into effect January 28, 2007. This act empowers a person with an end-stage medical condition (or an appropriate representative) to secure a DNR order specifically for EMS (in the form of the paper order, a bracelet, and/or a necklace). This order can ONLY be signed by an attending physician who has “primary responsibility” for the treatment of the patient.³ Residents, Fellows, CRNPs, and PAs are not permitted to sign.

Per the above act, only a person who has an end-stage medical condition who has capacity to make such a request and is 18 years or older or, if under 18 years of age has graduated from high school or has been married or is emancipated, may request an out of hospital DNR. If the above conditions are not met, then an appropriate representative (POA/surrogate) may request an OOH-DNR as long as there is an end-stage condition.⁴

When presented with an OOH-DNR order (paper form), a bracelet, and/or a necklace, paramedics are required to honor the order for no CPR and do not need to first contact MD command. The OOH-DNR is only valid for patients while under the care and management of EMS. It is not valid in other settings such as hospitals or SNFs, in contrast to a POLST. If someone has an appropriately completed, current and clear POLST, Advance Directive, or Living Will indicating DNR/DNI but no OOH-DNR, EMS is required to initiate CPR while waiting instruction from MD command. Copies/faxes are not acceptable.³

Summary

The differences between the above two forms, and PA state law, poses a unique set of challenges in honoring the wishes of our patients. Discrepancies in the practice and direction of various EMS MD Commands makes it challenging to obtain consistent care for DNR/DNI patients. Understanding the PA state law regarding these two forms is necessary in making sure our patients receive care concordant with their goals and wishes.

Take Home Recommendation:

Ideally, to prevent potential medical errors, both an OOH-DNR and POLST should be completed prior to discharge from the hospital for appropriate patients. If a patient who is DNR/DNI will interact with EMS at any point, an OOH-DNR is necessary to prevent the reflexive initiation of CPR while waiting for direction from MD Command.

Personal details in the case published have been altered to protect patient privacy.

For palliative care consultations please contact the Supportive and Palliative Care programs at PUH/MUH, 412-647-7243, pager # 8511, Shadyside, 412-647-7243, pager # 8513, Perioperative/ Trauma Pain, 412-647-7243, pager # 7246, UPCI Cancer Pain Service, pager 412-644-1724, Magee Women's Hospital, pager 412-647-7243 pager # 8510, VA Palliative Care Program, 412-688-6178, pager # 296. Hillman Outpatient: 412-692-4724. For ethics consultations at UPMC Presbyterian-Montefiore and Children's pager 412-456-1518

With comments about “Case of the Month” call Dr. Robert Arnold at (412) 692-4834.



Sources:

1. <https://www.papolst.org/pa-polst-forms/the-pennsylvania-orders-for-life-sustaining-treatment-polst-form/4-introduction-to-the-polst-form/file>
2. <https://www.papolst.org/pa-polst-forms/the-pennsylvania-orders-for-life-sustaining-treatment-polst-form/1-polst-and-the-out-of-hospital-do-not-resuscitate-order-similarities-and-differences/file>
3. <https://www.health.pa.gov/topics/Documents/EMS/DNR%20Order%20-%20Questions%20and%20Answers.pdf>
4. <https://www.legis.state.pa.us/cfdocs/Legis/LI/uconsCheck.cfm?txtType=HTM&yr=2006&sessInd=0&smthLwInd=0&act=169>

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