

VALLEYCARE
OLIVE VIEW-UCLA MEDICAL CENTER/HEALTH CENTERS
POLICY & PROCEDURE

NUMBER: 264
VERSION: 2

SUBJECT/TITLE: REFUSAL OF A PATIENT TO ACCEPT MEDICAL CARE, TRANSFER OR DISCHARGE

POLICY: Health Care is provided at the request of and for the benefit of the patient. When a patient or surrogate decision maker refuses required treatment for a non-terminally ill condition, this may sometimes place the hospital and the attending physicians in a position which restricts their ability to provide the best care possible and to control treatment properly.

A refusal will be respected and honored when provided by the competent adult patient or the patient's surrogate decision maker.

All patients who refuse medical care, transfer, or discharge are informed in the patient's primary language of the risks involved and provided with alternative plans. This is to be documented in the patient's medical record.

PURPOSE: To provide guidance to the staff when patients or patient surrogate decision makers refuse recommended care.

DEPARTMENTS: All

DEFINITIONS: **Against Medical Advice (AMA)** – Patient or patient's surrogate decision maker refuses care or demands to leave clinic/hospital unit contrary to the recommendations of the attending physician.

Refuse transfer or discharge – Patient or patient representative refuses transfer or discharge to another facility or home from an outpatient, Emergency Department or inpatient setting.

Patient elopement – An act of escaping or running away.

PROCEDURE:

1. Assess and document the patient's competency¹ and reasons for refusing the proposed medical care, transfer, or discharge. Consider the ability to accommodate reasonable requests, relieve concerns, and secure the patient's consent. Consider referral to Social Work for assistance with personal concerns.

¹ If patient's competency is questionable, consult with Psychiatry.

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2. Reconfirm the patient's readiness for the proposed medical care, transfer, or discharge, assuring that they have been fully informed of the benefits derived from the medical care, and, in the case of a discharge, the staff's reasons for concluding that the patient can be safely released. Fully document this information in the patient's medical record.
3. In the case of an emergency medical condition, continue to provide needed services to the extent permitted by the resources available at the health facility.
4. If appropriate, contact Utilization Review to assure that all required notices regarding a pending termination of benefits under Medi-Cal or Medicare or other third-party payer programs for any continuing care at the health facility have been given to the patient in a timely manner and that this action has been properly documented.
5. If appropriate, contact Patient Financial Services to advise the patient or patient representative in accordance with DHS' standard policy requirements of his/her personal financial responsibility for the County's costs of the patient's continuing care/residence at the health facility.
6. Complete AMA form OV1274 (attachment I) for patients refusing care or transfer from clinic or ER setting; Back of Medical Summary (attachment II) for patients refusing care or leaving AMA from inpatient units. Patients are required to sign the form. If patient refuses to sign the AMA form this must be documented in the medical record. This does not preclude readmission if medically necessary. Patients shall receive medication and transportation as appropriate. The staff may disagree with the patient, but the staff should do what they can to make the discharge as safe as possible.
7. In the event, the patient refuses to accept transfer or discharge from the inpatient setting, contact the Olive View-UCLA Medical Center Risk Manager for guidance.
8. If a patient elopes:
 - a. Please follow Policy and Procedure #200, Patients who leave Olive View UCLA Medical Center Without Notification.

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References: Olive View-UCLA Medical Center Policy 600, "Admission, Transfer, Discharge" Olive View-UCLA Medical Center Policy 200, "Patients who Leave Olive View-UCLA Medical Center without Notification" Center for Medicare/Medicaid Services (CMS), Medicare Conditions of Participation	
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