

# Ohio's Do-Not-Resuscitate Law

*Copied from "Choices: Living Well at the End of Life" developed in collaboration with the Ohio Hospice and Palliative Care Organization, the Ohio State Medical Association, the Ohio Hospital Association and the Ohio Osteopathic Association.*

Ohio's Do-Not-Resuscitate (DNR) Law gives individuals the opportunity to exercise their right to limit care received in emergency situations in special circumstances. "Special circumstances" include care received from emergency personnel when 911 is dialed. The law authorizes a physician to write an order letting health care personnel know that a patient does not wish to be resuscitated in the event of a cardiac arrest (no palpable pulse) or respiratory arrest (no spontaneous respirations or the presence of labored breathing at end of life).

The following information is included as a brief overview of some of the more common questions, issues and concerns regarding Ohio's Do-Not-Resuscitate Law. It is not meant to provide all information needed to make the decision to have a Do-Not-Resuscitate Order written. An individual is enrolled in the DNR Comfort Care (DNRCC) Program after consultation with his or her physician regarding end-of-life issues. Upon enrollment the individual will receive a special identification form. Other DNRCC identifications, such as a wallet identification card, also may be used.

The DNR Comfort Care Program allows this specific DNR Comfort Care Order to be used in multiple settings and practice areas including but not limited to nursing facilities, residential care facilities, hospitals, outpatient areas, home, and public places. For a DNR Comfort Care Order to be useful in multiple settings it must be recognizable by health care workers. The Ohio Department of Health has developed a standard order form that is generally recognized.

Unlike a Living Will and Health Care Power of Attorney, a DNR Order must be written and signed by a physician or an advanced-practice nurse after consultation with the patient.

DNR Comfort Care is a legally-sanctioned program that is implemented according to a standardized protocol. The DNRCC Order is implemented at different points, depending upon the patient's wishes and must be consistent with reasonable medical standards.

The two options within the DNR Comfort Care Protocol are the DNR Comfort Care (DNRCC) Order and the DNR Comfort Care-Arrest (DNRCC-Arrest) Order. With a DNRCC Order, a person receives any care that eases pain and suffering, but no resuscitative measures to save or sustain life. With a DNRCC-Arrest Order, a person receives standard medical care until the time he or she experiences a cardiac or respiratory arrest.

## **DNR Comfort Care: The Facts**

Cardiopulmonary Resuscitation (CPR) has a broad meaning. It includes any or all of the following:

- Administration of chest compressions;
- Insertion of an artificial airway;
- Administration of resuscitation drugs;
- Defibrillation or cardioversion;
- Provision of respiratory assistance;
- Initiation of a resuscitative intravenous line;
- Initiation of cardiac monitoring.

### **CPR is a life-saver, but some people may not want it to be administered in certain cases.**

In some cases, CPR saves lives. In other cases, it is not effective. A person who is revived can be left with permanent or painful injury. Resuscitation also can include other treatment, such as drugs, tubes and electric shock. People with terminal illnesses or other serious medical conditions may prefer to focus on comfort care at the end of life rather than receiving CPR when the time comes. For more information about the pros and cons of CPR and whether it is right for you, ask your physician.

### ***It is easy to make your wishes about CPR known.***

If you want to receive CPR when appropriate, you do not need to do anything. Health care providers are required to perform CPR when necessary. If you do not want CPR, your best bet is to discuss your wishes with your physician and ask your physician to write a DNR Order. If your physician agrees that you should not get CPR, he or she can fill out the required form to make your wishes known in case of an emergency.

### **Even if you are healthy now, you might want to state that you do not want to receive CPR if you ever become terminally ill.**

Ohio has a standard Living Will Declaration form. This form specifically allows you to direct your physician not to administer life-sustaining treatments, including CPR, and to issue a DNR Order if two physicians have agreed that you are either terminally ill or permanently unconscious.

### ***DNR Comfort Care does not mean “Do Not Treat.”***

The DNR Comfort Care protocol is very specific in terms of what treatment is to be given and what treatment is to be withheld. Only those items listed on the “will not” list are to be withheld. The items listed on the “will” list, along with any other treatment that may be needed for the patient’s condition, may be provided as appropriate.

### ***DNR Orders may be revoked.***

You always have the right to change your mind and request CPR. If you do change your mind, you should speak with your physician right away about revoking your DNR Order. You also should tell your family and care givers about your decision and throw away any DNR identification items you might have.

### **If you have a DNR Order or identification, your family cannot demand that CPR be provided.**

You have the right to make your own decisions about your health care. You should make sure your family knows your desires about CPR.

## **Does Ohio have a law concerning Do Not Resuscitate (DNR) Orders?**

Yes. Ohio adopted a law concerning DNR Orders in 1998.

## ***Can I sign my own (DNR) Order?***

No. Unlike Living Wills and Health Care Powers of Attorney, DNR Orders must be written and signed by a physician or advanced practice nurse after consultation with the patient.

## **Where should my Living Will, Health Care Power of Attorney and DNR be kept?**

Copies of these forms should be kept in easily accessible places where others can find them. You also should give copies of your Living Will, Health Care Power of Attorney and/or DNR Order to your physician, family members and any close friends who might serve as caretakers.

## ***What does DNR mean?***

DNR stands for “do not resuscitate.” A person who does not wish to have cardiopulmonary resuscitation (CPR) performed may make this wish known through a physician’s order called a DNR Order. A DNR Order addresses the various methods used to revive people whose hearts have stopped functioning or who have stopped breathing. Examples of these treatments include chest compressions, electric heart shock, artificial breathing tubes, and special drugs.

Under its DNR Comfort Care Protocol, the Ohio Department of Health has established two standardized DNR Orders. When completed by a physician (or certified nurse practitioner or clinical nurse specialist, as appropriate), these standardized DNR Orders allow patients to choose the extent of the treatment they wish to receive at the end of life. A patient with a “DNR Comfort Care-Arrest Order” will receive all the appropriate medical treatment, including resuscitation, until the patient has a cardiac or pulmonary arrest, at which point only comfort care will be provided. By requesting the broader “DNR Comfort Care Order,” a patient may reject other life-sustaining measures such as drugs to correct abnormal heart rhythms. With this order, only comfort care would be provided at a point even before the heart or breathing stops. Your physician can explain the differences in DNR Orders.

## ***Can anyone else override my wishes about CPR?***

No. You have the right to make your own decisions about your health care. If you are not able to express your wishes, other people such as a legal guardian, a person you named in a Health Care Power of Attorney, or a family member can speak for you. You should make sure these people know your desires about CPR.

## **What if I change my mind after my physician writes a DNR Order?**

You always have the right to change your mind and request CPR. If you do change your mind, you should talk with your physician right away about revoking your DNR Order. You should also tell your family and caregivers about your decision, mark “cancelled” on the actual DNR Order, and destroy any DNR wallet cards or other identification items you may have.



## DNR IDENTIFICATION FORM

**DNRCC**

(If this box is checked the DNR Comfort Care Protocol is activated immediately.)

**DNRCC—Arrest**

(If this box is checked, the DNR Comfort Care Protocol is implemented in the event of a cardiac arrest or a respiratory arrest.)

Patient Name: \_\_\_\_\_

Address: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Birthdate \_\_\_\_\_ Gender  M  F

Signature \_\_\_\_\_ (optional)

### **Certification of DNR Comfort Care Status (to be completed by the physician)\***

(Check only one box)

**Do-Not-Resuscitate Order**—My signature below constitutes and confirms a formal order to emergency medical services and other health care personnel that the person identified above is to be treated under the State of Ohio DNR Protocol. I affirm that this order is not contrary to reasonable medical standards or, to the best of my knowledge, contrary to the wishes of the person or of another person who is lawfully authorized to make informed medical decisions on the person's behalf. I also affirm that I have documented the grounds for this order in the person's medical record.

**Living Will (Declaration) and Qualifying Condition**—The person identified above has a valid Ohio Living will (declaration) and has been certified by two physicians in accordance with Ohio law as being terminal or in a permanent unconscious state, or both.

Printed name of physician\*: \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Address: \_\_\_\_\_ Phone \_\_\_\_\_

City/State \_\_\_\_\_ Zip \_\_\_\_\_

\* A DNR order may be issued by a certified nurse practitioner or clinical nurse specialist when authorized by section 2133.211 of the Ohio Revised Code.

**See reverse side for DNR Protocol**



## DO NOT RESUSCITATE COMFORT CARE PROTOCOL

After the State of Ohio DNR Protocol has been activated for a specific DNR Comfort Care patient, the Protocol specifies that emergency medical services and other health care workers are to do the following:

### **WILL:**

- Suction the airway
- Administer oxygen
- Position for comfort
- Splint or immobilize
- Control bleeding
- Provide pain medication
- Provide emotional support
- Contact other appropriate health care providers such as hospice, home health, attending physician/CNS/CNP

### **WILL NOT:**

- Administer chest compressions
- Insert artificial air way
- Administer resuscitative drugs
- Defibrillate or cardiovert
- Provide respiratory assistance (other than that listed above)
- Initiate resuscitative IV
- Initiate cardiac monitoring

If you have responded to an emergency situation by initiating any of the **WILL NOT** actions prior to confirming that the DNR Comfort Care Protocol should be activated, discontinue them when you activate the Protocol. You may continue respiratory assistance, IV medications, etc., that have been part of the patient's ongoing course of treatment for an underlying disease.