

Advise Your Clients on POLST

By Barry R. Harrow

Attorney at Law

DNR and Advance Directives Attorney Member Barry Harrow [Link] provides the following update with regard to proper posting of POLST forms, Advance Health Care Directives and DNRs.

I recently attended of the Monterey County Compassionate Care Alliance (www.caringresources.org). The Alliance is described as "A Gateway to Information, Care Choices and Planning". The Executive Director is Victoria Nelson.

Kelly Vasquez, Kellie Morgantini, Eric Holk and I have been meeting as a working group regarding the implementation of the new POLST law (effective 1/1/09) and its relation to Advance Health Care Directives. POLST stands for Physician's Order for Life Sustaining Treatment.

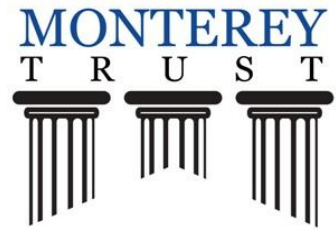
At the meeting, a presentation by Steve Brooks, an EMS analyst for Monterey County, included a discussion of the practical problems that EMS personnel (and, in a derivative fashion, other health care providers) have when it comes to being informed about the existence of POLST's, DNR's and ADVANCE DIRECTIVES in the context of emergencies.

As attorneys, we often feel that we have completed our job when we give the ADVANCE DIRECTIVE to the client and they leave our office. In actual fact, it is incumbent upon us to suggest to them that they discuss and share their Directive with the agent or agents that are named in the form so that they best understand the client's wishes.

It is also very important that we tell them how and where to keep the document itself. It doesn't help the EMS personnel and other health care providers if the agent has it or it is buried somewhere in a file that cannot be located when needed.

Accordingly, it was suggested that it be kept in the following places, in order of preference, because this is where the EMS personnel are trained to look:

1. Attached to the refrigerator (or in a cabinet above it)
2. Attached to the bed frame
3. On the nightstand next to the bed



We would like to spread this message to all practicing attorneys within our Bar Association and community so that we can better enable our clients to get the best health care possible by ensuring that their health care providers are fully informed of our clients' wishes as evidenced by their relevant legal documents.

Therefore, please consider how best to get the word out as effectively as possible so that we can accomplish that purpose.

Sincerely,

Barry R. Harrow
Attorney at Law
P.O. Drawer 226
Carmel Valley, CA 93924

(831) 659-1234
(831) 659-8800 (fax)
www.carmelvalleylaw.com
harrow@carmelvalleylaw.com