

## **NORTH COUNTRY COMMUNITY MENTAL HEALTH ADMINISTRATIVE MANUAL**

**CHAPTER:** Chapter 5 – Member Rights  
**POLICY NAME:** ADVANCE DIRECTIVES POLICY  
**EFFECTIVE DATE:** July 1, 2018

### **PURPOSE**

To assure that those individuals receiving mental health services are notified of their rights under Michigan law to formulate an advance directive and to assure compliance with related federal or state requirements.

### **APPLICATION**

North Country Community Mental Health Provider Operations

### **POLICY**

#### PSYCHIATRIC ADVANCE DIRECTIVE

It is the policy of North Country CMH that persons receiving mental health services be informed of their right under Michigan law to formulate an advance directive at initiation of services. Staff will inquire if the individual has an advance directive and if they have designated a patient advocate. This information will be documented and kept in a prominent location in the client's clinical record.

The role of NCCMH staff is to educate clients and, when requested, to provide assistance and support to develop a psychiatric advance directive. Under no circumstance are staff permitted to author, witness or provide advice on the consumer's advance directive.

Staff will inform the client of their right to file a grievance if they do not believe they have received appropriate information regarding Psychiatric Advance Directives.

Any changes in state law affecting this policy or information provided to clients will be reflected in policy and educational materials within 90 days of the effective date of the change.

#### DO NOT RESUSCITATE (DNR) ORDERS IN RESIDENTIAL FACILITIES

It is the policy of North Country CMH that an Adult Foster Care licensee is prohibited from following a "Do Not Resuscitate" request. In the case of an accident or sudden severe change in a resident's physical or medical status, such as respiratory or cardiac arrest or life-threatening injury, the licensee is required to call emergency medical services to the home.

#### **EXCEPTION:**

In the event that a resident, who is enrolled in a licensed hospice program and has a do-not-resuscitate order in his/her assessment plan, suffers a cessation of both spontaneous respiration and circulation, the Adult Foster Care facility is allowed to immediately contact the resident's licensed hospice service provider instead of emergency medical service. The licensed hospice service provider can then determine the appropriate course of action to be taken.

All staff will receive training on the requirements of this policy within 60 days of approval. New hires will receive training during orientation.

**REFERENCE:** 42CFR 438.6; 42CFR 422.128; 42CFR 489.100; 42CFR 489.102  
Estates and Protected Individuals Code, Act 386 of 1998, 700.5506-5520.  
Michigan Do-Not-Resuscitate Procedure Act, Act 193 of 1996  
Michigan Attorney General Opinion No. 6986 dated June 16, 1998  
Michigan Attorney General Opinion No. 7056, dated June 20, 2000  
Michigan's Patient Advocate Law, MCL 700.496  
Adult Foster Care Facility Licensing Act, Act 218 of 1979, 400.726a.  
Northern Affiliation Advance Directives Policy and Procedure, # 3006,

**REVIEWED:** 03/24/08; 04/29/09; 06/08/15; 04/06/17

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**APPROVED:**

*Christine Gebhard*

Chief Executive Officer

*06/21/2018*

Date

*Edward Ginop*

NCCMH Board Chair

*06/21/2018*

Date