



Advance directives

Provider requirements and standards

This workshop will help you understand the legal requirements and Regence's standards for discussion and documentation of advance directives for your patients.

[Print a copy of this workshop.](#)

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Objectives

At the completion of this provider workshop, you should be able to:

- Understand your legal obligations related to advance directives
- Comply with documentation requirements
- Know where to find additional information

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Federal Patient Self-Determination Act

In December 1991, the Patient Self-Determination Act (PSDA) became law. The intent of the PSDA was to strengthen individual control over medical treatment decision making and enhance patient autonomy and self-determination. The law placed several new requirements on health care organizations receiving Medicare or Medicaid payments.

Two of the major requirements are:

- Inform patients of their right to complete an advance directive
- Document existing advance directives in patients' medical records

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Washington state law

“In recognition of the dignity and privacy which patients have a right to expect, the legislature hereby declares that the laws of the state of Washington shall recognize the right of an adult person to make a written directive instructing such person’s physician to withhold or withdraw life-sustaining treatment in the event of a terminal condition or permanent unconscious condition. The legislature also recognizes that a person’s right to control his or her health may be exercised by an authorized representative who validly holds the person’s durable power of attorney for health care.”

Washington State Chapter 70.122 RCW, Natural Death Act, 1966

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Advance directive forms

There are two types of forms for advance directives

- "Power of Attorney for Healthy Care"
- "Living Will – Directives to Physicians"

There are legal differences between these documents. Patients may want to discuss with legal counsel to determine the best form for their needs. Sample forms are available from a variety of sources, including legal offices and hospital admitting offices.

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Responsibilities of physicians and other health care professionals

- If a patient has signed an advance directive document, a copy should be included in his or her medical record
- Documentation in the medical record should include discussions of a member's right to predetermine future health care and specific treatment preferences if expressed
- Providers and staff members who make entries on patient charts regarding advance directives should identify themselves by signing or initialing each entry

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Regence standards for compliance

Regence MedAdvantage providers and facilities should comply with the following standards:

- Have advance directive forms available for patients to complete, or advise the patient how to obtain one
- Prominently display a copy of the advance directive in the patient's chart so that it is easy to see
- Document within the medical record whether or not the patient has executed an advance directive

Regence monitors compliance with these standards during annual network accessibility surveys.

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Resources

Thank you for completing this online workshop. We encourage your feedback or questions via [email](#).

[Provider Web Site](#)

- [Medicare Advantage Plans](#) section of the *Administrative Manual*
- [Quality Program](#)

Washington [Natural Death Act](#)

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