MOST: Medical Orders for Scope of Treatment

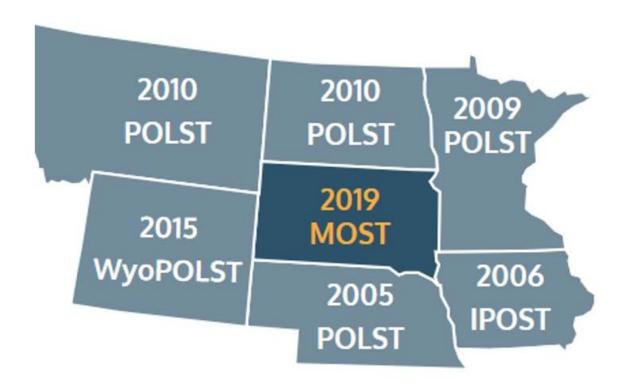
Deb Fischer-Clemens, RN, BSN, MHA Senior Vice President, Avera Center for Public Policy



South Dakota Senate Bill 118



POLST
Timeline &
Surrounding
State
Programs



1991-2001	2002-2005	2006-2009	2010-2012	2013-2015	2017-Current	
• OR	• UT	• IA	• DE	• IN	• AR	
• WI	• FL	• VA	• IL	• TX	• SD	
• PA	• NH	• CA	• KY	• AL		
• WA	• NY	• ID	• MT	• MS		
	• NC	• OK	• ND	• AK		
	• CO	• KS	• LA	• WY		
	• NE	• ME	• MD			
	• TN	• MO	• MI			
	• VT	• HI	• NJ			
		• MN	• RI			
		• NV	• AZ			
		• OH	• CT			
			• GA			
			• NM			
			• SC			

MOST Definition

"Medical order for scope of treatment," or "MOST," is a transportable medical order sheet executed by a patient who has been diagnosed with a terminal condition by the patient's medical provider and entered in the patient's medical record that provides direction to health care providers about the patient's goals and preferences regarding the use of medical interventions, including cardiopulmonary resuscitation and other lifesustaining treatment



Medical Order for Scope of Treatment

A MOST form is a <u>portable</u>, <u>actionable</u> medical order sheet that helps ensure patient treatment wishes are known and honored and helps prevent initiation of unwanted, disproportionately burdensome extraordinary treatment.

MOST is **not** an advance directive.

An advance directive is a legal document and mechanism for naming a <u>durable power of attorney for healthcare</u> (a healthcare agent) and/or a <u>living will</u> (providing general treatment wishes).



Medical Order for Scope of Treatment

MOST is voluntary.

It is <u>shared decision-making</u> between patients and health care professionals.

The conversation involves the patient discussing his/her values, beliefs and goals for care, and the health care provider presents the patient's diagnosis, prognosis, and treatment alternatives, including the benefits and burdens of life-sustaining treatment.

Together they reach an <u>informed decision</u> about desired treatment.



"The MOST is a valuable tool that helps patients align their care with their values, and it gives physicians the authority to carry out patient instructions."

Dr. Francine Arneson



Medical Order for Scope of Treatment

MOST is only for patients with a terminal illness/condition as defined by SD Law § 34-12D-1.

A terminal condition is:

- 1. An incurable and irreversible condition such that death is imminent if life-sustaining treatment is not administered; or
- 2. A coma or other condition of permanent unconsciousness that will last indefinitely without significant improvement.

The determination of "terminal condition" is made in accordance with acceptable medical standards.

Medical providers often think of patients with "terminal conditions" as those about whom the medical provider would not be surprised if they died within a year.

For these patients, their terminal condition and current health status indicate the need for standing medical orders for current, emergent, and/or future medical care.



MOST Form

	HIPAA PERMITS DISCLOSURE OF SOUTH DAKOTA MOST TO OTHER HEALTH CARE F	ROVIDERS AS NEC	ESSARY				
MEDICA	AL ORDERS FOR SCOPE OF TREATMENT	LAST NAME					
SOUTH	DAKOTA MOST	FIRST NAME					
	v these orders, THEN contact medical provider. This is a Medical Order Sheet based on the patient's	MIDDLE INITIAL					
	dical condition and wishes. Any section that does not include an indication of the patient's or representative's preference, is a directive to health care providers to use all necessary and appropria	1					
medical inte	erventions. The South Dakota MOST complements an advance health care directive and is not intend	ed DATE OF BIRTH	(mm/dd/y)	mi			
	hat document. It have an advance health care directive? Yes No						
	DIAGNOSIS OF TERMINAL CONDITION: GOALS OF CARE:						
Check	A. CARDIOPULMONARY RESUCITATION (CPR): PATIENT HAS NO PULSE AND IS NOT BREATHING						
One	CPR/Attempt Resuscitation (requires full intervention in section B)						
	□ DNR/Do Not Attempt Resuscitation (Allow Natural Death) When not in cardiopulmonary arrest, follow orders in B, C, D and E						
	B. MEDICAL INTERVENTIONS: PATIENT HAS PULSE AND IS BREATHING, OR HAS PULSE AND	NOT BREATHING,					
	 <u>Full Intervention</u>: Treatment Goal: Full intervention including life support measures in the described in Comfort Measures and Selective Treatment below, use intubation, advanced a 						
	ventilation as indicated. Transfer to hospital and/or intensive care unit if indicated to meet		ind methanica				
	 Selective Treatment; Treatment Goal: Stabilization of medical condition. In addition to tre 	tment described in 0					
	use medical treatment, IV fluids (hydration) and cardiac monitor as indicated to stabilize me management techniques and non-invasive positive-airway pressure. Do not intubate. Trans						
Check	or comfort. Avoid intensive care if possible.	er to nospital il mole	ated to manag	e medical need			
One	☐ Comfort Measures Only [Allow Natural Death]: Treatment Goal: Maximize comfort through symptom management. Relieve pain and sufferin						
	through the use of any medication by any route, positioning, wound care and other measures. Use oxygen, suction and manual treatment of airway obstruction as needed for comfort. Patient prefers no transfer to hospital for life-sustaining treatments. Transfer to hospital only if						
	comfort needs cannot be met in current location.						
	ADDITIONAL ORDERS: (e.g. dialysis, etc.)						
	C. ARTIFICIALLY ADMINISTERED NUTRITION AND HYDRATION:						
	ALWAYS OFFER FOOD AND FLUIDS BY MOUTH AS TOLERATED.						
Check	Based on the Provider's medical judgment:			10			
One in	 Will artificially administered nutrition and hydration be unable to prolong life? Will artificially administered nutrition and hydration be more burdensome than beneficis 			5			
Column	3. Will artificially administered nutrition and hydration cause significant physical discomfor	,					
	 Has patient previously expressed a desire to forgo artificially administered nutrition and 	ydration by tube?		4			
	In order for artificially administered nutrition and hydration to be withheld, there must be a "YES"	answer to one or mo	re of questions	1-4 above.			
	D. INFORMED CONSENT DISCUSSION: had an informed consent discussion with patie	t or suthorized reco	erentative.				
Check	Name of Medical Provider (MD, DO, NP or PA)	it or authorized repri	esernative.				
One							
	DISCUSSED WITH: ☐ Patient ☐ Authorized Representative (Name of Representative)						
	The basis for these orders is:	-					
	□ Patient's declaration (can be verbal or nonverbal).						
Check	 Patient's Authorized Representative (patient without capacity). Patient's Advance Directive (if indicated, patient has completed an additional document that provides guidance for treatment measures if 						
All That	he /she loses medical decision-making capacity).						
Apply	Resuscitation would be medically non-beneficial.						
	This form is voluntary and the signatures below indicate that the medical orders are consistent with the patient's medical condition and treatment plan and are the known desires or in the best interests of the patient who is the subject of the document.						
	treatment plan and are the known desires or in the best interests of the patient w	no is the subject of th	e accument.				
	APPOINT TO THE PARTY OF THE PAR	DROWINGS BUCCO	name (re-	ID A TORK			
PRINT	MEDICAL PROVIDER NAME MEDICAL PROVIDER SIGNATURE (MANDATORY) MEDICA	PROVIDER PHONE	DATE (MAI	NDATORY)			
PRINT	PATIENT OR REPRESENTATIVE NAME PATIENT OR REPRESENTATIVE SIGNATURE (MANDATO	RY)	DATE (MAI	NDATORY)			
	REPRESENTATIVE RELATIONS IN REPRESENTATIVE ASSESSED	ngener	ENTATIVE PHO	SAIF AUGEARES			
	REPRESENTATIVE RELATIONSHIP REPRESENTATIVE ADDRESS	REPRES	ENTATIVE PHO	INE NUMBER			

ENSURE PATIENT HAS THE CURRENT FORM.

PHOTOCOPIES AND FAXES OF SIGNED AND DATED SD MOST FORMS ARE LEGAL AND VALID.

INFORMATION FOR HEALTH CARE PROVIDERS

COMPLETING SOUTH DAKOTA MOST

- Must be completed by a physician, nurse practitioner or physician assistant based on patient's preferences and/or best interests, and medical indications.
- b. South Dakota MOST must be signed and dated by a MD, DO, NP or PA to be valid.
- South Dakota MOST must be signed by the patient or the patient's authorized representative.
- d. Use of original form is strongly encouraged. Photocopies and faxes of signed and dated South Dokoto MOST are legal and valid.

USING SOUTH DAKOTA MOST (Additional information available at: www. .org)

- Any section that does not include an indication of the patient's or authorized representative's preference, is a directive to health care
 providers to use all necessary and appropriate medical interventions.
- Artificial nutrition and hydration is optional when it cannot reasonably be expected to prolong life, would be more burdensome than beneficial, would cause significant physical discomfort, or patient had previously expressed a personal desire to forgo artificial nutrition by tube.
- The determination of burden refers to the provision of artificial nutrition or hydration itself and not the quality of continued life of the patient.
- A patient with capacity may revoke the South Dekote MOST at any time and request alternate treatment. Additionally, an authorized
 representative may revoke the MOST only if the MOST was executed by the authorized representative.
- If there is a conflict between the patient's MOST document and the patient's written directives in any previously executed and unrevoked durable power of attorney or living will, the health care provider will treat the patient in accordance with the instructions in the MOST.

The duty of medicine is to care for patients even when they cannot be cured. Physicians, nurse practitioners and physician assistants, and their patients must evaluate the use of technology at their disposal based on available information. Judgments about the use of technology to maintain life must reflect the inherent dignity of the patient and the purpose of medical care. Everyone is to be treated with dignity and respect.

REVIEWING SOUTH DAKOTA MOST

It is recommended that this South Dakota MOST be reviewed periodically, such as when the patient is transferred from one care setting or care level to another, or there is a substantial change in the patient's health status. A patient may revoke a MOST at any time by:

- Destroying or defacing the MOST with the intent to revoke;
- b. A written revocation of the MOST, signed and dated by the patient; or
- c. An oral expression of the intent to revoke the MOST, in the presence of a witness 18 years of age or older who signs and dates in writing, confirming that such expression of intent was made.

NOTE: An authorized representative may not revoke a MOST unless the MOST was executed by the authorized representative. Any such revocation by the authorized representative must be in writing.

A revocation is effective upon communication to the health care provider. A health care provider who is informed of a revocation shall record the date and time of the notification of revocation in the patient's medical record.

A new South Dakots MOST form should be completed if the patient wishes to make any substantive change to treatment goal[s] (e.g. reversal of prior directive). When completing a new form, the old form must be properly voided and retained in the medical record. To void the South Dakots MOST form, forwing the record in the proper sections 4 through D and writer "VOID" in large letters. This must be signed and dated.

REVIEW OF THIS SOUTH DAKOTA MOST FORM

REVIEW DATE AND TIME	REVIEWER	LOCATION OF REVIEW	REVIEW OUTCOME	
			□ No Change □ Form Volded and New Form Completed	1
			☐ No Change ☐ Form Voided and New Form Completed	ı
			☐ No Change ☐ Form Voided and New Form Completed	1
			☐ No Change ☐ Form Voided and New Form Completed	
			☐ No Change ☐ Form Voided and New Form Completed	

ENSURE PATIENT HAS THE CURRENT FORM.

PHOTOCOPIES AND FAXES OF SIGNED AND DATED SD MOST FORMS ARE LEGAL AND VALID.

May 2019 May 2019



MOST Instructions

A MOST form must be completed by a physician, nurse practitioner or physician assistant based on patient's preferences and/or best interests, and medical indications.

South Dakota MOST must be signed and dated by a MD, DO, NP or PA to be valid.

South Dakota MOST must be signed by the patient or the patient's authorized representative.

Use of original form is strongly encouraged. Photocopies and faxes of signed and dated South Dakota MOST forms are legal and valid.



Medical Provider Responsibilities

A "Medical provider" is a physician, physician assistant or certified nurse practitioner designated by a patient or the patient's authorized representative, to have responsibility for the patient's health care.

If there is a conflict between a patient's MOST and a patient's oral directives, or any written directives in an advance health care directive, the medical provider shall treat the patient in accordance with the most recent instruction.

Patients should be aware that a MOST may override the directives contained in their Power Of Attorney or living will if executed prior to the MOST.



Medical Provider Responsibilities (continued)

Any medical provider who receives a valid MOST shall make the document part of the patient's medical record.

A document executed in another state or jurisdiction that meets the requirements for a valid medical order for scope of treatment in that state or jurisdiction is valid in this state.



Medical Provider Responsibilities (Continued)

Any medical provider who has actual knowledge of a patient's MOST shall treat the patient in accordance with the preferences indicated in the MOST.

A medical provider who refuses to comply with the provisions of a duly executed MOST shall:

- (1) Not prevent the transfer of the patient to another medical provider who is willing to comply with the MOST; and
- (2) Continue providing care for the patient until the transfer is completed.



Patient Revocation

A patient who wishes to revoke their MOST must do so by communicating their wishes to their medical provider.

A revocation is effective upon communication to the medical provider.

A medical provider who is informed of a revocation shall follow their organization's medical record policies on how to void a MOST form.



MOST Form - Heading & Explanation

MEDICAL ORDERS FOR SCOPE OF TREATMENT SOUTH DAKOTA MOST FIRST follow these orders, THEN contact medical provider. This is a Medical contact medical provider. This is a Medical condition and wishes. Any section that does not include an authorized representative's preference, is a directive to health care provide medical interventions. The South Dakota MOST complements an advance in	LAST NAME FIRST NAME MIDDLE INITIAL DATE OF BIRTH (mm/dd/yyyy)	
co replace that document. Does patient have an advance health care directive? Yes No PATIENT'S DIAGNOSIS OF TERMINAL CONDITION:	GOALS OF CARE:	v. 2-24 [1][[]



Section A: Code Status

Chard	A. CARDIOPULMONARY RESUCITATION (CPR): PATIENT HAS NO PULSE AND IS NOT BREATHING
Check	☐ CPR/Attempt Resuscitation (requires full intervention in section B)
One	□ DNR/Do Not Attempt Resuscitation (Allow Natural Death)
	When not in cardiopulmonary arrest, follow orders in B, C, D and E



Section B: Medical Interventions

Check One	B. MEDICAL INTERVENTIONS: PATIENT HAS PULSE AND IS BREATHING, OR HAS PULSE AND IS NOT BREATHING. Full Intervention: Treatment Goal: Full intervention including life support measures in the intensive care unit. In addition to treatment described in Comfort Measures and Selective Treatment below, use intubation, advanced airway interventions, and mechanical ventilation as indicated. Transfer to hospital and/or intensive care unit if indicated to meet medical needs. Selective Treatment: Treatment Goal: Stabilization of medical condition. In addition to treatment described in Comfort Measures below, use medical treatment, IV fluids (hydration) and cardiac monitor as indicated to stabilize medical condition. May use basic airway management techniques and non-invasive positive-airway pressure. Do not intubate. Transfer to hospital if indicated to manage medical needs or comfort. Avoid intensive care if possible. Comfort Measures Only (Allow Natural Death): Treatment Goal: Maximize comfort through symptom management. Relieve pain and suffering through the use of any medication by any route, positioning, wound care and other measures. Use oxygen, suction and manual treatment of airway obstruction as needed for comfort. Patient prefers no transfer to hospital for life-sustaining treatments. Transfer to hospital only if



Section C: Nutrition & Hydration

	LWAYS OFFER FOOD AND FLUIDS BY MOUTH AS TOLERATED. seed on the Provider's medical judgment:	YES	NO
1	. Will artificially administered nutrition and hydration be unable to prolong life?		
2	Will artificially administered nutrition and hydration be more burdensome than beneficial?		
3	. Will artificially administered nutrition and hydration cause significant physical discomfort?		
4	. Has patient previously expressed a desire to forgo artificially administered nutrition and hydration by tube?		



Section D: Informed Consent

	D. INFORMED CONSENT DISCUSSION	N:
Check	Name of Medical Provider (MD,	had an informed consent discussion with patient or authorized representative. DO, NP or PA)
One	DISCUSSED WITH:□ Patient	☐ Authorized Representative(Name of Representative)



MOST Form – Basis & Signatures

Check All That Apply	The basis for these orders is: Patient's declaration (can be verbal or nonverbal). Patient's Authorized Representative (patient without capacity). Patient's Advance Directive (if indicated, patient has completed an additional document that provides guidance for treatment measures if he /she loses medical decision-making capacity). Resuscitation would be medically non-beneficial. This form is voluntary and the signatures below indicate that the medical orders are consistent with the patient's medical condition and treatment plan and are the known desires or in the best interests of the patient who is the subject of the document.						
PRINT	PRINT MEDICAL PROVIDER NAME MEDICAL PROVIDER SIGNATURE (MANDATORY) MEDICAL PROVIDER PHONE DATE (MANDATORY)						
PRINT	PRINT PATIENT OR REPRESENTATIVE NAME PATIENT OR REPRESENTATIVE SIGNATURE (MANDATORY) DATE (MANDATORY)						
	REPRESENTATIVE RELATIONSHIP REPRESENTATIVE ADDRESS REPRESENTATIVE PHONE NUMBER						



ENSURE PATIENT HAS THE CURRENT FORM

PHOTOCOPIES AND FAXES OF SIGNED AND DATED SD MOST FORMS ARE LEGAL AND VALID



Using South Dakota MOST

Any section that does not include an indication of the patient's or authorized representative's preference, is a directive to health care providers to use all necessary and appropriate medical interventions.

Artificial nutrition and hydration is optional when it cannot reasonably be expected to prolong life, would be more burdensome than beneficial, would cause significant physical discomfort, or patient had previously expressed a personal desire to forgo artificial nutrition by tube.

The determination of burden refers to the provision of artificial nutrition or hydration itself and not the quality of continued life of the patient.



Using South Dakota MOST

A patient with capacity may revoke the South Dakota MOST at any time and request alternate treatment. Additionally, an authorized representative may revoke the MOST only if the MOST was executed by the authorized representative.

If there is a conflict between a patient's MOST and a patient's oral directives, or any written directives in an advance health care directive, the medical provider shall treat the patient in accordance with the most recent instruction.



The duty of medicine is to care for patients even when they cannot be cured.

Physicians, nurse practitioners and physician assistants, and their patients must evaluate the use of technology at their disposal based on available information.

Judgments about the use of technology to maintain life must reflect the inherent dignity of the patient and the purpose of medical care.

Everyone is to be treated with dignity and respect.



"A MOST is not about how patients want to die – it's about how patients wish to live. It is a response to ensuring effective, patient-focused care and treatment throughout a terminal condition and during the end of life."

Mary Hill



Summary of SD MOST

- ✓ It is an advance care planning tool.
- ✓ Although a MOST is **NOT** an advance directive, a MOST:
 - complements the patient's advance directive(s);
 - is not intended to replace a patient's advance directive(s); and
 - translates the patient's wishes expressed in advance directives into actionable medical orders.
- ✓ A MOST is a portable, actionable medical order sheet. In this way, it is like the SD Comfort One order. However, a MOST covers more treatment choices than the SD Comfort One order.



- Q: Does a MOST form replace a portable Do Not Resuscitate (DNR) order such as Comfort One?
- A: No, a portable DNR tells health care providers and EMS only that the patient does NOT want to be resuscitated, a MOST is for patients with a terminal illness and includes decisions regarding code status and other types and forms of treatment



Q: Does a MOST replace a portable Do Not Resuscitate (DNR) order?

A: No, a DNR order tells health care providers in a hospital setting that the patient does NOT to be resuscitated; a MOST is for patients with a terminal illness and includes decisions regarding code status and other types and forms of treatment



- ✓ A MOST is only for patients who have a terminal condition as defined by SD law.
- ✓ A MOST is created through relationship and dialogue between the medical provider and patient or patient representative. It involves the patient discussing his/her values, beliefs and goals for care.
- ✓ In order to be valid, a MOST must be signed by both the medical provider and patient or patient representative.
- ✓ A MOST articulates the manner in which a patient would like to live during the course of his or her terminal condition by stating the patient's goals and wishes.



- ✓ A MOST helps ensure the provision of reverent care and appropriate medical treatment that support the patient's goals and wishes throughout the patient's life and during the process of natural death.
- ✓A MOST helps prevent the use of medical interventions that are unwanted, ineffective, burdensome and/or do not support the patient's goals and wishes.
- ✓ A MOST is voluntary and should never be mandatory.



- ✓ A patient who has created a MOST may amend or revoke the MOST at any time.
- ✓ A MOST allows patients to make decisions consistent with the United States Conference of Catholic Bishops Ethical and Religious Directives for Catholic Health Care Services (ERDs).



- ✓ A MOST allows all patients to make medically and legally appropriate decisions consistent with their religious traditions, values, beliefs and goals.
- ✓ A MOST requires that all measures to improve the patient's comfort—including food and fluid by mouth as tolerated—are always provided.



✓ The patient may have both a living will and a MOST. The living will is an advance directive expressing the patient's wishes about the use of life-sustaining treatment in the event of a terminal condition. The MOST can translate the wishes expressed in a living will into an actionable medical order. Furthermore, the MOST encourages dialogue about and actionable medical orders for treatments in addition to lifesustaining treatment.



Meditech 5.67



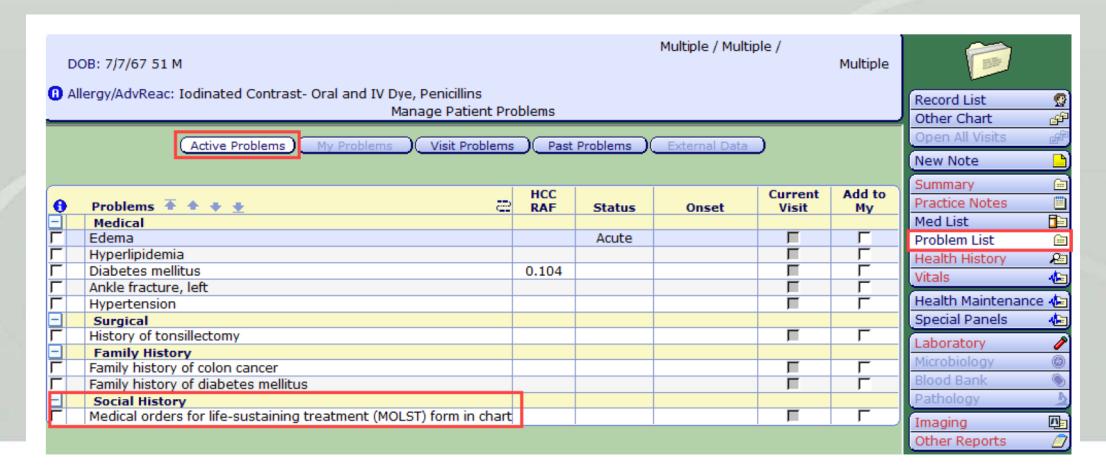
Purpose

The IMO problem of "Medical orders for life-sustaining treatment" (MOLST) form in chart (Z78.9)" will now be added to a patient chart per new regulations put in place July 1st 2019.

This summarizes the location of this IMO problem and the partnering scan form that will populate the Legal Indicator of the patient chart to make the knowledge of a patient having a Medical Order for Life Sustaining Treatment known across the care continuum.



Problem List

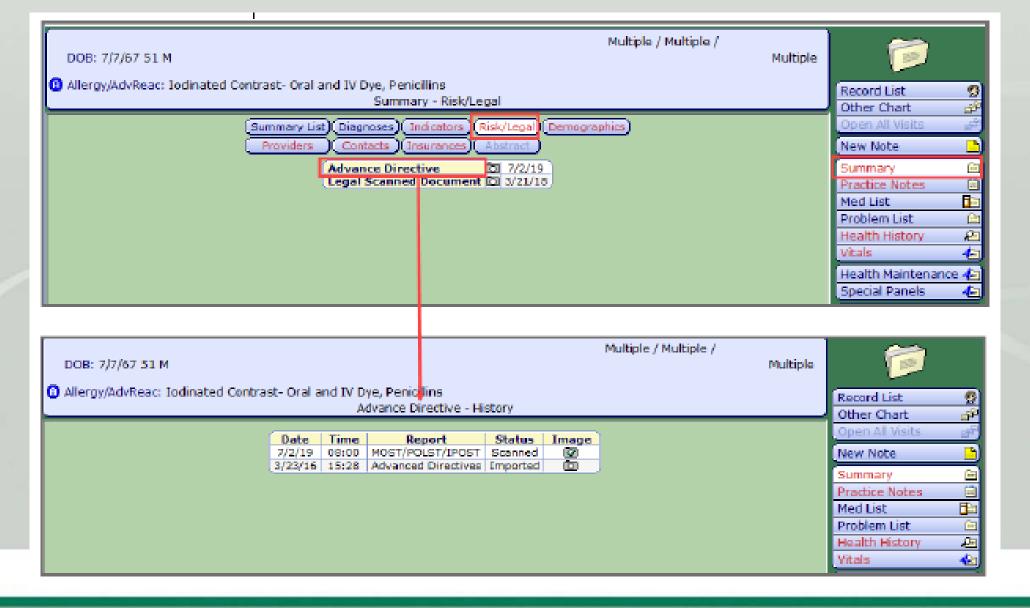




Legal Indicator

Selecting Advance Directive will open the Advance Directive-History list. Selecting the camera icon instead will open the most recent scanned form.







Meditech Expanse



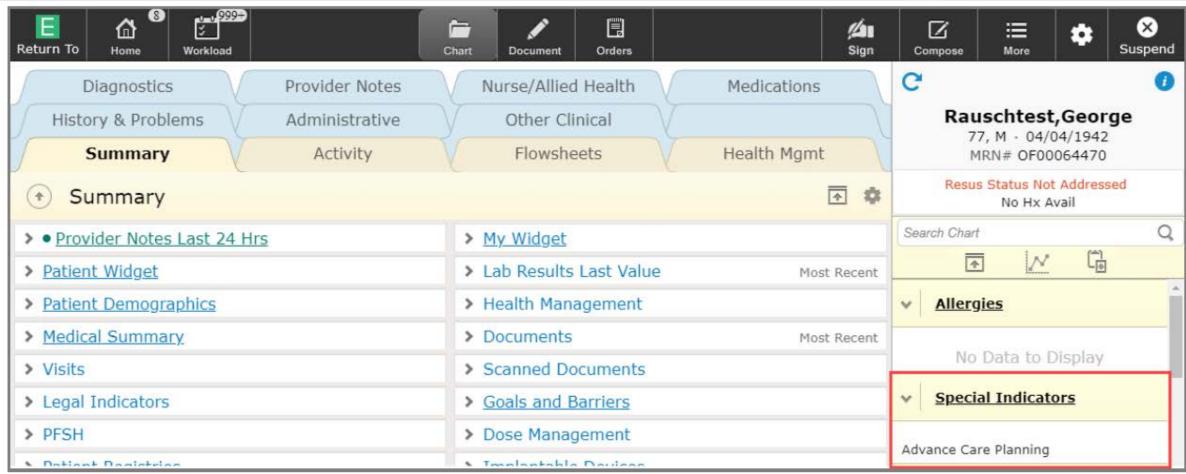
Purpose

The Special Indicator previously called 'Advanced Directive' has been retitled 'Advance Care Planning'. A new option of Medical Order for Scope of Treatment (abbreviated 'med ord scope of trmt') has been added per new regulations put in place July 1st 2019.

This summarizes the location of this special indicator and the partnering scan form that will populate the Legal Indicator of the patient chart to make the knowledge of a patient having a Medical Order for Life Sustaining Treatment known across the care continuum.

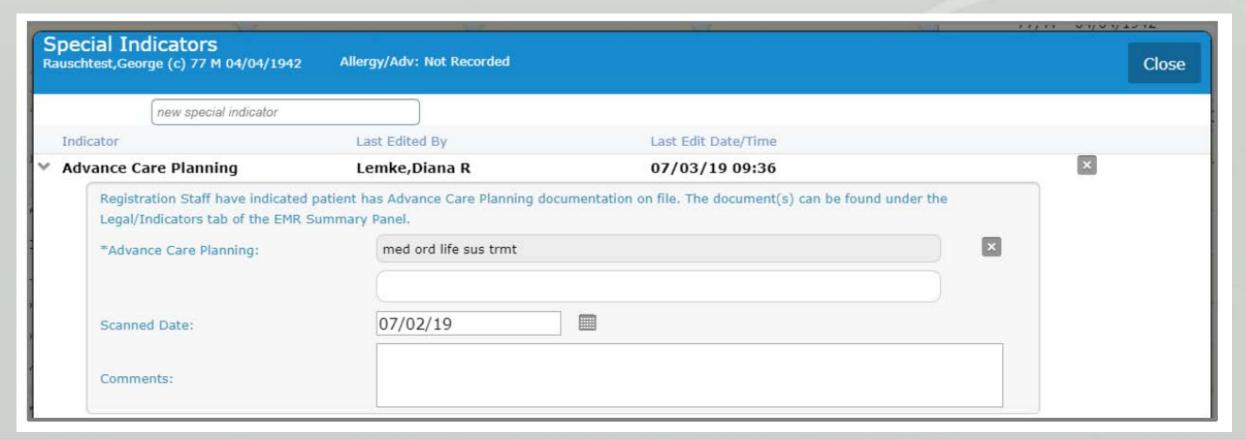


Special Indicator (Web): Chart View/Widget:





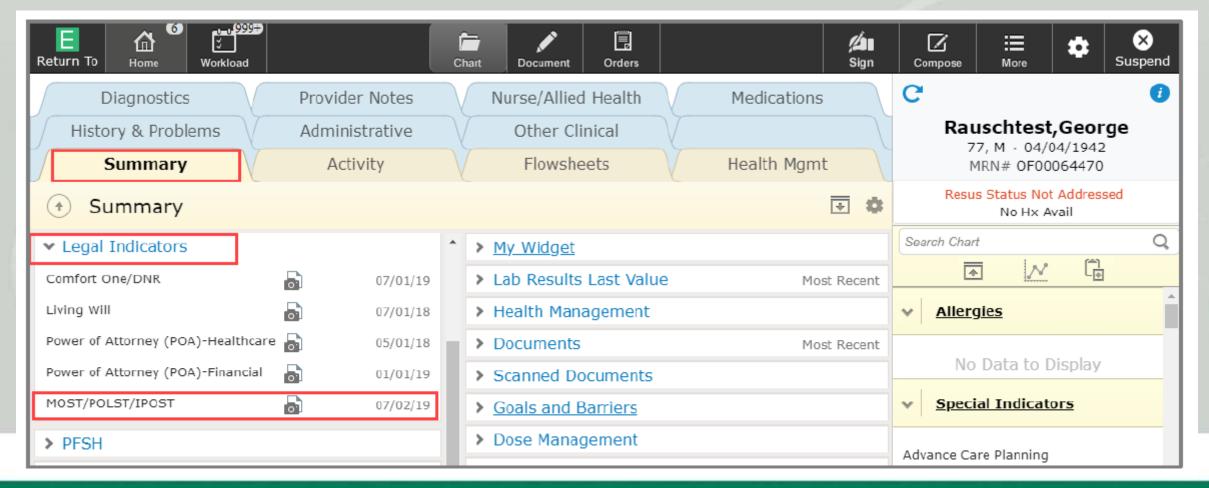
Special Indicator (Web): Widget Overlay Details





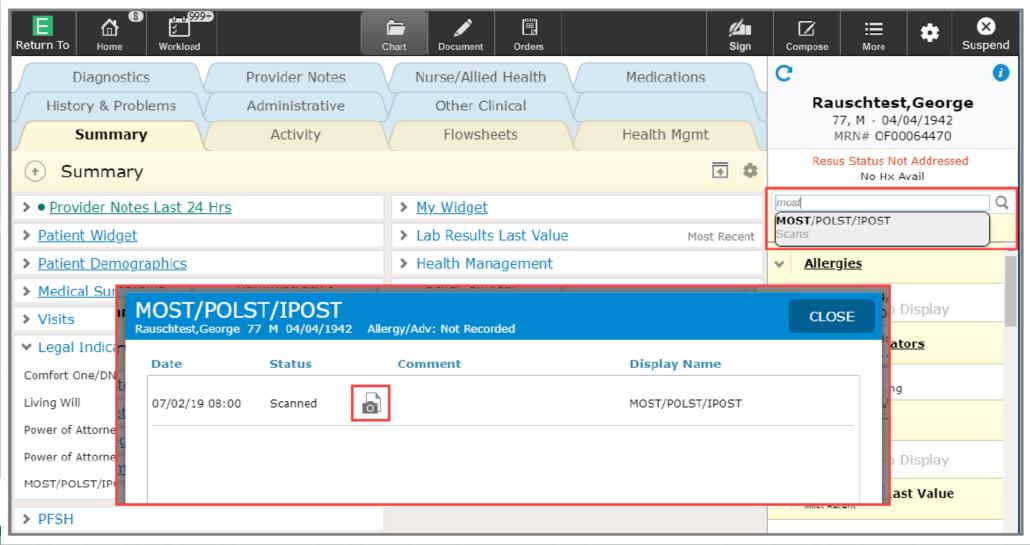
Legal Indicator (Web):

Legal Indicators Widget in Chart Summary Tab



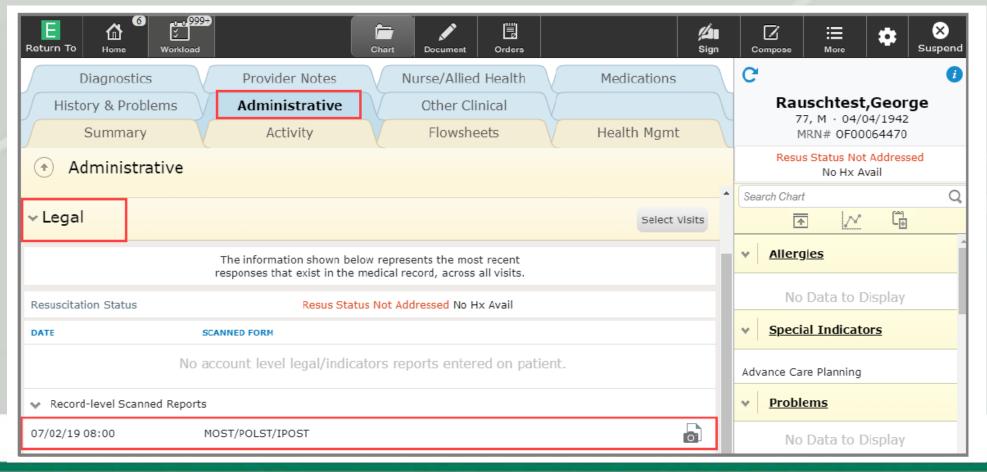


Legal Indicator (Web): Chart Search





Legal Indicator (Web): Legal Accordion in Chart Administrative Tab



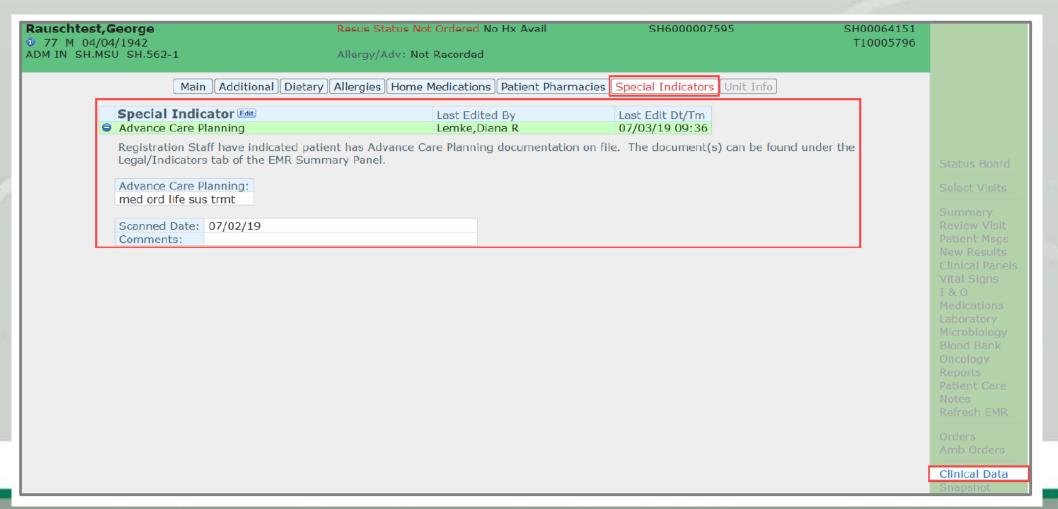


Special Indicator (Desktop): Summary



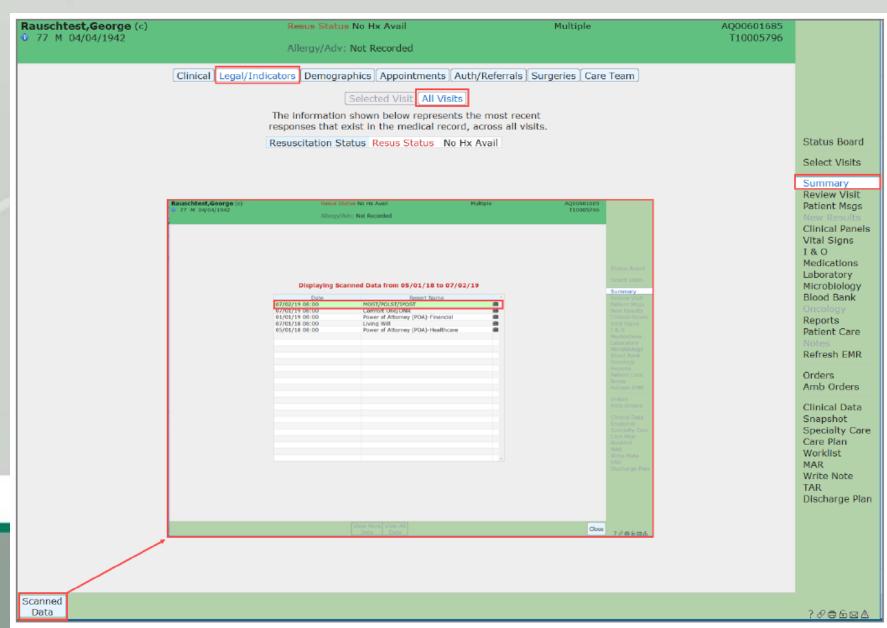


Special Indicator (Desktop): Clinical Data





Legal Indicator (Desktop): Summary





CPT Coding for Advance Care Planning

- 99497: First 30 minutes of face to face discussion and explanation with patient, as well as form completion
- 99498: Each additional 30 minutes of face to face discussion and explanation with patient, as well as form completion (list separately)



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Avera Medical Group

Guidelines and Algorithms

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Guidelines and Algorithms

Avera guidelines and algorithms are systematically developed to assist practitioner and patient decisions about appropriate health care for specific clinical circumstances. Our extensive listing of clinical practice resources depicts multidisciplinary best practices for care delivery to assist in cancer screening, diagnostic evaluation, treatment, management of clinical symptoms.

Antimicrobial Stewardship Treatment Pathways & Info +
Avera@Home +

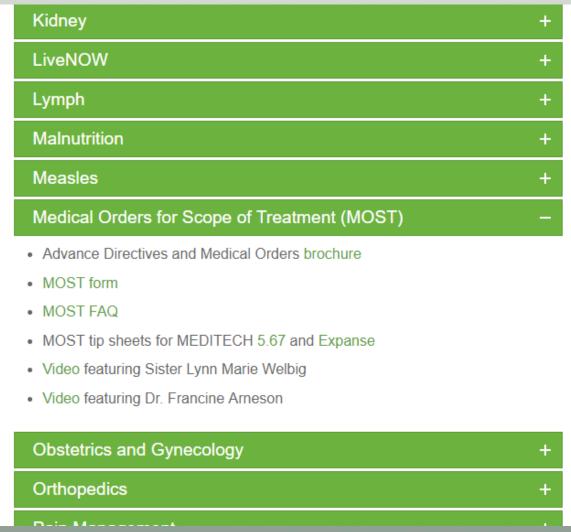


AMG Resources

- Find a physician (avera.org)
- AMG's Strategic Plan 2019
- Provider Star Ratings



KnowledgeNet



- Give It A Shot Physician Resource Page
- Find Home Health, Hospice and Home Medical Equipment for Patients
- Avera Controlled Substance Prescribing Agreement (English)
- Avera Controlled Substance Prescribing Agreement (Spanish)
- AMG Campaign for Responsible Prescribing of Controlled Substances
- Avera Pain Management Patient Education
- Avera Healthy Weight Initiative Patient Education
- Recognizing Sepsis in the Outpatient Setting
- Certified Lifestyle Medicine Program



Questions?

Thank you!

