



ISSUE

Ensure patient treatment wishes are followed and respected (SF 4154, HF 4063)

MMA Position

Legislation is needed to implement a statewide program and registry for Provider Orders for Life Sustaining Treatment (POLST) forms.

A POLST form captures patient end-of-life treatment preferences. Its use ensures that patient decisions are followed, especially at the end of life. However, if caregivers cannot access a patient's POLST form, the provider orders may not be followed, and patient treatment preferences may be ignored.

Background

A POLST form is a portable medical order that offers patients with an advanced serious illness the option to exercise personal control over their end-of-life treatment. Unlike an advance directive, the POLST form is a medical order to implement a patient's preferences for care that are immediately actionable, as the patient moves across care settings. This is the preferred practice for end-of-life care recommended by the National Academy of Medicine.

The POLST Minnesota program was established by the MMA in 2008 by an interdisciplinary steering committee that included physicians, nurses, ethicists, and others. A standardized POLST form was developed in 2010. It is widely used and recognized by hospital systems, long-term care facilities, medical professionals, and emergency medical services throughout Minnesota today.

Immediate access to end-of-life treatment information is especially important during medical emergencies.

However, emergency responders are often unable to access a patient's paper POLST form. The POLST form is meant to travel with the patient between care settings, but the paper copy can become damaged or misplaced, therefore losing the patient's treatment preferences.

A statewide POLST program and registry would make this information available to any authorized provider, anywhere in the state, at any time. It would provide a reliable verification system if the paper POLST form or electronic health record are not available. With round-the-clock electronic and mobile phone access to POLST information, providers would be able to follow a patient's wishes, even at the most stressful moments.

Talking Points

- Patients who have expressed their care preferences in a POLST form deserve to have their care plan followed.
- Today, the patient is given a paper copy of their POLST form. If a patient misplaces the form, or doesn't have it with them in an emergency, it's possible their end-of-life preferences will not be followed. With today's technology, a patient should have their POLST form accessible, without having a physical copy present.
- A POLST registry will help emergency care providers determine a patient's wishes when they arrive on a scene and cannot find the patient's paper POLST form. Having a registry could help protect emergency providers from facing potential liability issues.
- In 2023, the Minnesota Legislature directed the Minnesota Department of Health (MDH) to develop recommendations for a statewide POLST registry. The MDH advisory committee recommends that MDH be the coordinating entity for the POLST program and registry in Minnesota.