EMS General Protocol

<table>
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<th>Protocol Title:</th>
<th>Foundations of Practice</th>
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<td>Original Adoption Date:</td>
<td>8/2000</td>
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<td>Past Protocol Updates</td>
<td>5/2005</td>
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<td>Date of Most Recent Update:</td>
<td>December 26, 2013</td>
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<tr>
<td>Medical Director</td>
<td>Chad Torstenson M.D.</td>
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Patient Definition:
A patient is an individual requesting or potentially needing medical evaluation or treatment. Relationships are established between provider and patient by telephone, radio, or personal contact. This principle holds true for every incident, regardless of size or magnitude. It is every provider’s responsibility to make certain that all affected individuals are offered the opportunity for evaluation, treatment, and/or transport.

Consent to Medical Treatment:
Consent for medical treatment, is based upon the concept that every individual has the right to determine what is to be done with or to his/her own body. For consent to be legally valid, it must be informed. Except in emergency situations in which an individual has what appears to be a potentially life-threatening injury or illness, a person must be made aware of, and understand the risks of any procedures performed, medications administered, or the consequences or refusal of treatment and/or transportation. In addition, the need may arise to inform the patient of alternatives to evaluation, treatment, and transport by EMS. It is important to stress to the patient that your focused expertise would make it inappropriate for you to give medical advice outside of your area of specialty. Make every attempt obtain consent from legally authorized representative who is usually a parent, but in some circumstances, may be another relative or legal guardian. Anyone at least eighteen (18) years of age or older who is mentally competent may grant consent for treatment, refuse treatment, refuse transport, or sign a legal document (i.e. refusal form).

When Consent is Not Required (Implied Consent):
In life-threatening emergencies with altered mental status, consent to treatment is not required. The law presumes that if the individual with a life-threatening injury or illness were conscious and able to communicate, he/she would consent to emergency treatment.
Consent for Emergency Care is Not required if the Individual:
1. Is unable to communicate because of an injury, accident, illness, or unconsciousness AND;
2. Is suffering from what reasonably appears to be a life-threatening injury or illness.

In addition, consent to emergency treatment is not required for a minor (under age 18) who is suffering from what appears to be a potentially life-threatening injury or illness and whose parents, managing or possessory conservator, or a guardian is not present.

**When a Minor May Consent to Treatment:**
A minor may consent to his or her own medical, dental, psychological, and surgical treatment by a licensed physician or dentist in the following circumstances:
1. Minor is on active duty with the Armed Services of the United States of America or
2. Is unmarried and has custody of the minors biological child and consents to treatment for the child or
3. Is legally married or
4. Minor has been legally emancipated by a court of law (minor should have court order as evidence)

**Adults Other Than a Parent that May Give Legal Consent for Treatment of a Minor:**
The following persons may consent to medical treatment of a minor when the person having the right to consent, as otherwise provided by law (typically a parent) cannot be contacted and that person has not given actual notice to the contrary.
1. A grandparent of the child
2. An adult (over age 18) brother or sister of the child
3. An adult (over age 18) aunt or uncle of the child
4. An educational institution in which the child is enrolled; that has received written authorization consent from a person having the right to consent
5. An adult who has actual care, control, and possession of a child under the jurisdiction
6. An adult of the juvenile court or committed by juvenile court to the care of an agency the state or county
7. A peace officer who has lawfully taken custody of minor, if the peace officer has reasonable grounds to believe the minor is in need of immediate medical treatment

**Incompetent Adult Patient:**
A patient who by a court of law declaration is legally incompetent cannot consent to his/her treatment. The patient’s court appointed guardian has the right to consent to, or refuse, treatment.

**Additional Guidelines:**
Any adult patient who is in possession of their faculties (i.e. conscious and alert to person, place, and time/date) has the right to refuse any aspect of treatment (such as drug therapy, spinal immobilization, etc.) even if that refusal could result in serious harm or death. However, they may still request and have the right to transportation by West Des Moines EMS.

Notify the patient of the possible medical consequences of their refusal, then documented these conversation points in the patients care record.
In addition to refusing treatment for themselves, competent adults (age 18 or older), as determined by assessment and condition, have the right to refuse treatment and transportation of their children or anyone else for whom they are the legal guardians.

Thorough documentation of the patient’s refusal, explained consequences, and the providers’ efforts to persuade the patient to seek help are necessary and must be signed and witnessed.