

## Refusals and Documentation

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Anytime a patient refuses treatment and transport, an EMS informed consent to refuse statement should be attained. PPCR's (prehospital patient care report) that do not have the "Informed Consent to Refuse" standardized will have to write the refusal out on the PPCR and then have the patient sign. The Virginia OEMS PPCR has the standardized format on the back of the original copy. Please make sure you are documenting refusals properly, this includes any procedures deemed necessary by the attendant-in-charge (AIC) but refused by the patient, (i.e., spinal immobilization, intravenous cannulation, etc.). **Any refusal of treatment and/or transportation by or for a pediatric patient (13 years and below) or any ALS complaint patient must have Medical Control consultation.**

Refusals you are writing out must include the following:

- Decision made is of sound mind and not under the impairment of any alcohol or substance (legal or illegal) and/or disease process
- Been informed of potential need for further evaluation
- Further medical diagnostic test (x-ray, lab, etc.)
- Further injury/illness care or management
- Further medical evaluation by a health care professional
- Other: \_\_\_\_\_

**AND**

- Been informed of the potential risks associated with the refusal of service
- Potential risk associated may include, but not limited to:
  - Undiagnosed injury or illness
  - Improper healing of injury
  - Worsening of injury or illness with or without changing signs or symptoms
  - Subsequent changes in condition including unconsciousness (coma) shock or death
  - Other: \_\_\_\_\_

**AND**

- Understand this refusal in no way reduces my ability to recall EMS services in the future.

Witness signatures for patient refusals may be a by-stander, law enforcement, family member, etc. The use of response personnel as witnesses to refusals should be avoided.

## Refusals and Documentation (continued)

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### Emergency Custody Orders (ECO)

A person who is:

1. Mentally ill, and
2. In need of hospitalization. And
3. Who is incapable of volunteering or unwilling to volunteer for treatment, and
4. Is either:
  - a. An imminent danger to his or her self or others as a result of mental illness, or
  - b. Is so seriously mentally ill as to be substantially unable to care for his or her self

Meets the criteria to be taken into emergency custody by law enforcement and transported for evaluation by a designee of a Community Services Board to determine the need for involuntary hospitalization.

Alcoholism and drug abuse may be considered mental illness for the purposes of determining whether or not a person meets the criteria.

An ECO will generally not be issued for a person that you believe is in need of medical treatment but is refusing care, and will certainly not even be considered unless there is an immediate threat to the persons life. However, a law enforcement officer that has taken a person into custody may seek medical evaluation and treatment of the person if necessary.

A person meeting the criteria may be taken into emergency custody in two ways:

1. A law enforcement officer may take the person into custody without an order being issued by a magistrate, and may transport the person for evaluation, or
2. An Emergency Custody Order may be issued by a magistrate on the sworn petition of "any person" if he finds the person to be detained meets the criteria set out above, and law enforcement will serve that order. However, not all magistrates will issue such an order for anyone other than an employee of the Community Services Board, like Region Ten. Not all magistrates will issue an order for someone other than the Community Services Board if law enforcement is present but has declined to take the person into custody.

There are many variables involved in this process. The fastest way for a person that meets the criteria to be taken into custody is to have a law enforcement officer take them into custody. However, because that requires the officer to be tied up for up to four hours, and not all officers may agree that the person meets the criteria, you should attempt to call the on-call person from the Community Services Board and have them decide whether or not to seek an order from the magistrate.