

Patient who refuses treatment, against medical advice, or refuses transport. If an individual (or the parent or legal guardian of the individual) refuses care and/or ambulance transport after EMS has been called to the scene, EMS providers should determine the patient's **capacity** to make decisions.

### **Patient Management**

**Assessment:** Decision-making capacity – Alert, oriented and can understand the circumstances surrounding his/her illness or impairment, as well as the possible risks associated with refusing treatment and/or transport and can communicate their decision.

Individuals who have attempted suicide, verbalized suicidal intent, or have other factors that lead EMS providers to suspect suicidal intent, should *NOT* be assumed to have sufficient decision-making capacity to refuse care.

### **Treatment and Interventions:**

1. Complete an initial assessment paying close attention to the individual's neurologic and mental status.
2. Obtain a complete set of vital signs.
3. History including use of drugs or alcohol.
4. Determine the individual's capacity to make a valid judgment concerning the extent of his/her illness or injury.
5. Contact on-line medical control if individual still refuses and EMS provider has doubts as to mental capacity to refuse.
6. If patient has capacity, clearly explain to the individual and all responsible parties the risks and concerns related to refusing care.
7. Perform appropriate medical care with the consent of the individual.
8. Complete patient care report clearly documenting the initial assessment findings and the discussion with all involved individuals.
9. Follow department policy for refusal of care form.

### **Special considerations:**

- Minor – All states allow health care providers to provide emergency treatment when a parent is not available to provide consent if the following are met:
  - a. The child is suffering from an emergency condition that places his or her life or health in danger.
  - b. The child's legal guardian is unavailable or unable to provide consent for treatment or transport.
  - c. Treatment or transport cannot be safely delayed until consent can be obtained.
  - d. EMS administers only treatment for emergency conditions that pose an immediate threat to the child.
  - e. If a minor is injured or ill and no parent contact is possible, the provider may contact on-line medical control for additional instructions.
- Emancipated Minor – Emancipated minors can make decisions regarding their health care. An "emancipated minor" means a minor who is or has been married, previously given birth or who has been legally freed from the care, custody, and control of parents.