

Idaho POST Health Care Providers and Emergency Medical Services Personnel FAQs

The following document is intended as a general guide to answer questions concerning the Idaho POST. This document should not be considered legal advice. The numbers in italics following each FAQ are the citations from Idaho Code that pertain to the FAQ.

1. What is a POST?

A POST is a Physician Orders for Scope of Treatment. A POST is a standardized form that allows a person to express his/her treatment wishes in advance of a medical emergency.

39-4502(12) & 39-4512A

2. Is there identification jewelry associated with POST like there was with Comfort One/DNR?

Yes, there will be identification wristbands available for patients that elect “No Not Resuscitate” in Section A of their POST form. The wristbands will be available from the physician that signs the POST form. We plan to explore other forms of identification jewelry to include bracelets, necklaces and anklets in late 2007.

39-4502(13)

3. Must I comply with the wishes stated on a patient’s POST form?

Yes, you must honor the patient’s wishes stated on the POST form or indicated by the POST\DNR bracelet.

39-4512B(1)

4. Can a patient be required to execute an advance directive?

No, a patient cannot be required to complete a living will, durable power of attorney for health care or POST form as a condition for being insured for, or receiving, health care services.

39-4514(7)(b)

5. Is a copy of a patient’s POST form valid or must they have the original?

Yes, a photocopy, fax or electronic copy of the valid, physician signed POST is valid.

39-4514(8)(b)

6. My patient has completed a POST form and has elected to not be resuscitated (DNR), can I also require the patient to complete a separate DNR order when checking in to my facility?

No, an Idaho POST is a valid DNR order in all Idaho health care facilities.

39-4514(2)

7. Is a POST form that was completed in one facility effective if a patient transfers to another facility?

Yes, an Idaho POST is “portable”, meaning that it transfers with the patient.

39-4514(8)(a)

8. My patient presented me with a wallet card from the Idaho Secretary of State that indicates they have an advance directive registered with the Secretary of State; what does this mean?

The wallet card indicates that the patient has registered an advance directive with the Secretary of State. The wallet card has a PIN number that will allow you to access and download the patient’s directive(s).

39-4514(9) & 39-4510(4)

9. If I encounter a situation calling for cardiopulmonary resuscitation, what assumptions can I make about the patient’s wishes?

You should assume that a patient desires resuscitation unless the patient or the patient’s surrogate has expressed the patient’s desire to not be resuscitated.

39-4514(4)

10. If I encounter a situation calling for artificial life-sustaining treatment, what duty do I have to attempt to discover a patient's POST status?

You must make a reasonable effort to discover a patient's desires (i.e. asking bystanders and checking for identification jewelry). Note that there is no expectation for discovery attempts if your patient is a victim of severe trauma, mass casualty, homicide or suicide.

39-4512C.

11. I am concerned about being criminally liable for not attempting resuscitation on a pulseless and/or apneic patient who has declared "DNR/No Code" on a POST. Can I be held liable if I honor the DNR?

No. You cannot be held liable for following the instructions on a signed POST form or for honoring a POST\DNR bracelet.

39-4513(1)

12. My patient has a POST form that indicates that they desire aggressive interventions. Does this mean that I am obligated to provide care that is considered futile?

No. Nothing in the Idaho POST law requires you to pursue treatment considered medically inappropriate or futile.

39-4514(5)

13. As a health care provider, can I ever disregard a POST form or POST identification device?

You may disregard a POST if you believe in good faith that the POST has been revoked; or to avoid oral or physical confrontation; or if ordered to do so by the attending physician

39-4513(5)

14. If a patient elects for Comfort Measures only in the Medical Interventions section of the POST form (Section B), what sort of care should I provide?

"Comfort care" means treatment and care to provide comfort and cleanliness. You should expect oral and body hygiene; food and fluids offered orally; medication, positioning, warmth, appropriate lighting and other measures to relieve pain and suffering; and privacy and respect for your dignity and humanity.

39-4502(5) & 39-4514(3)

15. When is it appropriate to complete a POST?

A POST form is appropriate in cases where a patient has an incurable or irreversible injury, disease, illness or condition, or where a patient is in a persistent vegetative state. A POST form is also appropriate if such conditions are anticipated.

39-4512A(1)

16. How can a patient get a POST form?

The attending physician shall, upon request of the patient, provide the patient with a copy of the POST form, discuss with the patient the form's content and ramifications and treatment options, and assist the patient in the completion of the form.

39-4512A(3)

17. Where can a physician obtain POST forms?

The Idaho Secretary of State will make the POST form available for download. The form is a fillable pdf document that can be completed on-line, printed and then signed. A link to the form will be available at www.idahoems.org or <http://www.idsos.state.id.us/general/hcdr.htm> after 1 July 2007.

18. When must a physician review a patient's POST form once signed?

The attending physician shall review the POST form: Each time the physician examines the patient, or at least every seven (7) days, for patients who are hospitalized; and each time the patient is transferred from one (1) care setting or care level to another; and any time there is a substantial change in the patient's health status; and any time the patient's treatment preferences change. Failure to meet these review requirements does not affect the POST form's validity or enforceability. As conditions warrant, the physician may issue a superseding POST form. The physician shall, whenever practical, consult with the patient or the patient's agent. *39-4512A(4)*

19. As a physician, for ethical reasons I am unable to honor a patient's desires stated on his/her POST form; what are my options?

Any physician or other health care provider who for ethical or professional reasons is incapable or unwilling to conform to the desires of the patient (as stated on the patient's POST form) may withdraw without incurring any civil or criminal liability provided the physician or other health care provider, before withdrawal of his or her participation, makes a good faith effort to assist the patient in obtaining the services of another physician or other health care provider who is willing to provide care for the patient in accordance with the patient's expressed or documented wishes.

39-4513(2)

20. I encountered a patient with an advance directive from another state. Is the out of state directive effective in Idaho?

Yes, provided the directive from the other state is materially similar to an Idaho directive, it is valid in Idaho.

39-4514(6)

21. Must I still honor Idaho Comfort One/DNR's from prior to July 1, 2007?

Yes, a Comfort One\DNR is still valid, provided it was signed prior to 1 July 2007. After 1 July 2007, the POST form replaces the Comfort One\DNR as the Idaho Do Not Resuscitate order.

39-4514(6)