

## Advance Directives Policy

Rocky Mountain Surgical Center recognizes patient's right to have Advanced Directives and a Living Will according to the Federal and State of Montana laws and statutes. All patients have the right to participate in their own health care decisions and to make Advance Directives or to execute powers of attorney that authorize others to make decisions on their behalf based on the patient's expressed wishes when the patient is unable to make decisions or unable to communicate decisions. This surgery center respects and upholds those rights.

However, unlike acute care hospital settings, the surgery center does not routinely perform "high risk" procedures. However, no surgery is without risk. Your physician will discuss the specifics of your surgery with you including expected risks, outcomes, recovery, and aftercare.

Therefore, it is our policy, regardless of the contents of any Advance Directive or instructions from a health care surrogate or attorney, if an adverse event occurs during your treatment at this facility we will initiate resuscitative or other stabilizing measures and transfer you to an acute care hospital for further evaluation. At the acute care hospital further treatment or withdrawal of current treatment measures will be ordered in accordance with your wishes, Advance Directive or health care power of attorney.

If you do not agree to the following policy, please contact us prior to your scheduled procedure.

1. Patients will be asked on admission if they have Advanced Directives and/or a Living Will in place and the answer will be documented on the medical record.

2. If the patient does not have Advanced Directives/Living Will, the patient will be offered limited information regarding Advanced Directives/Living Wills and how they can obtain additional information. Legal opinions will not be provided or offered by personnel and/or medical staff.

3. If the patient provides the document, a copy will be made and placed in their medical record.

4. If a patient has an Advanced Directive/ Living Will, the anesthesia provider and/or surgeon will be notified and he/she will discuss with the patient the impact of the Center's policy of not recognizing the documents while admitted as a patient at the facility.

5. After the patient/anesthesia provider/surgeon discussion, the patient will be required to sign a Release of Understanding if the patient and/or the patient's authorized representative elects to continue with the surgery. The executed Release of Understanding will be filed in the medical record. A sticker will be placed on the front of the clinical record indicating the patient has an Advanced Directive/Living Will.

6. If the patient elects not to continue with the procedure, a notation will be made in the medical record as to why the procedure was cancelled and the physician's office will be notified.

7. In the event that the procedure is continued and the patient would require transfer to a tertiary care facility, a copy of the Advanced Directives/Living Will will be made and accompany the patient.

## Rocky Mountain Surgical Center Investors

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## Bozeman Deaconess Hospital

*If you have any concerns or complaints about the care you receive at Rocky Mountain Surgical Center,*

*you may contact the Surgery Center's Clinical Director at (406)556-9000, the MT State Department of*

*Health at (406)444-4540 located at 2401 Colonial Drive 2nd Floor P.O. Box 202953 Helena, MT 59620, or*

*the Office of the Medicare Beneficiary Ombudsman*

<http://www.medicare.gov/claims-and-appeals/medicare-rights/get-help/ombudsman.html>



Specializing in orthopedics, pain medicine and podiatry, the professional staff and physicians are committed to delivering the highest level of service.

## Patient's Bill of Rights Advance Directive Policy Investors

1450 Ellis Street

Suite 101

Bozeman, MT 59715

(406) 556-9000

[www.rmsurgicalcenter.com](http://www.rmsurgicalcenter.com)

## Patient's Bill of Rights

Patient's Rights & Responsibilities are established with the expectation that observance of these rights will contribute to more effective patient care and greater satisfaction for the patient, their family, their physician, and the facility caring for the patient. Patients shall have the following rights without regard to age, race, sex, national origin, religion, cultural, or physical handicap, personal value and belief systems.

1. The patient will receive the care necessary to help regain or maintain their maximum state of health and, if necessary, cope with death.
2. The facility personnel who care for the patient are qualified through education and experience to perform the services for which they are responsible.
3. The patient will be treated with consideration, respect, and full recognition of individuality, including protection of privacy of treatment and care. Facility personnel will keep adequate records and treat with confidence all personal matters that relate to the patient. The care afforded them will be provided in a safe setting free from abuse and harassment in order to protect emotional health and dignity.
4. The patient or responsible person is provided, to the extent known by the physician, complete information regarding diagnosis, treatment, and prognosis, as well as alternative treatments or procedures including possible risks and side effects associated with treatment.
5. The patient or responsible person will be fully informed of the scope of services available in the facility, provisions for emergency care, and related fees for services rendered.

6. The patient or responsible person will be a participant in decisions regarding the intensity and scope of treatment. The legal representative or surrogate designated by the patient in accordance with state law may exercise the patient's rights to the extent allowed by state law.

7. The patient will have the right to refuse treatment to the extent permitted by law and to be informed of the medical consequences of such a refusal. The patient will be requested to sign a release of responsibility form and, if refused, a registered letter will be sent.

8. A care plan will be made with the patient and family so that continuing services will be available to the patient throughout the period of need. The plan should be timely and involve the use of all appropriate personnel and community resources.

9. The patient and family are responsible for providing caregivers the most accurate and complete information regarding present complaints, past illnesses and hospitalizations, medications, unexpected changes in the patient's condition or any other patient health matters.

10. The patient has the right to approve or refuse the release of medical records to any individual outside the facility, except in the case of transfer to another health facility, or as required by law or third-party payment contract.

11. The patient has the right to be informed of any human experimentation research or educational projects affecting their care or treatment and to refuse participation in such programs without compromise to the patient's usual care. The patient also has the right to review this decision periodically.

12. The Surgery Center provides for and welcomes the expression of grievances, complaints, and suggestions by the patient at all times.

13. The patient has the right to change primary or specialty physicians if other qualified physicians are available.

14. The patient has the right to have an Advance Directive, such as a living will or health care proxy, however the Surgery Center has elected to provide emergent care when necessary and transfer patients with documentation of their Advance Directives to the appropriate place of care.

15. The patient must provide a responsible adult to transport them home from the facility and remain with them for 24 hours, as required by their provider.

16. When possible, the patient or responsible party has a right to be fully informed before any transfer to another facility or organization.

17. The patient has a responsibility to observe prescribed rules of the Surgery Center for their stay and treatment and, if instructions are not followed, forfeits the right to care at the Center and is responsible for the outcome.

18. The patient is responsible for promptly fulfilling his or her financial obligations to the Surgery Center.

19. The patient has a responsibility for being considerate of other patients and personnel and for assisting in the control of noise, smoking, and other distractions. The patient and family are responsible for the respect of property of others and the Center.

20. The patient has the right to accept medical care or to refuse treatment, to the extent permitted by law, and to be informed of medical consequences of such refusal. The patient also has the responsibility for their actions should they refuse treatment or do not follow the physician's or Surgery Center's instructions.

21. The patient is responsible for reporting whether they clearly understand the planned course of treatment and what is expected of them.

22. The patient is responsible for keeping appointments. When unable to do so, regardless of reason, the patient must notify the Surgery Center and/or physician.

23. The patient care rendered reflects consideration of the patient as an individual including personal values and belief systems that affect their attitude toward and response to the care provided by the Surgery Center. Patients are allowed to express any spiritual beliefs and cultural practices that do not harm others or interfere with the planned course of medical therapy for the patient.

24. The patient or their designated representative has the right to participate in the consideration of ethical issues that arise during the course of treatment.

If you have any concerns or complaints about the care you receive at the Rocky Mountain Surgical Center, you may contact the Surgery Center Executive Director at (406)556-9000 or the MT State Department of Health at (406)444-4540.