

Florida Pre-Hospital “DO NOT RESUSCITATE” Program

Chapter 765.FS. Grants E.M.S. (Emergency Medical Services) personnel the authority only to honor a DNRO (Do Not Resuscitate Order). A perfectly healthy person with no known terminal condition may execute a Living Will or it may be executed after an individual has been diagnosed as being in a terminal condition. A living will states the kind of medical care an individual wants or does not want if unable to make his/her own decision regarding medical care. Therefore, it serves as a helpful guide to a physician in trying to chart a course of treatment for an incapacitated patient and may form the basis for the issuance of the DNRO.

A properly executed DNRO must be signed by a physician who has determined that the patient is in a terminal condition or vegetative state, with very little probability of recovery. It also includes instructions that a patient in cardiac or respiratory arrest is not to be resuscitated and defines what limited medical care should be provided. E.M.S. personnel may therefore honor a DNRO, but not a Living Will, because a DNRO serves as evidence that a physician has made a determination regarding the patient medical condition and that there is mutual agreement regarding a course of treatment. Furthermore, E.M.S. personnel in the field are without the guidance of the patient's attending physician and need the medical authorization provided by the DNRO to withhold life prolonging procedures.

NOTE:

Death is not an option. Preparing for it in the face of modern technology and making your written intentions known to your health care providers, family and friends is the best proof of your intentions. Furthermore, it relieves families of an additional burden and anxiety, better advises health care providers in an age of litigation and individual rights and most importantly, preserves the privacy and dignity of the patient.

Jessie Trice Community Health Center, Inc.

LOCATIONS

Primary Care Centers

- 1 JTCHC–Main Center
5361 NW 22nd Avenue, 33142
- 2 JTCHC Children’s Wellness Center
1190 NW 95th Street, Ste. 304, 33150
- 3 JTCHC Flamingo Center
901 E. 10th Avenue
Bay 39, Hialeah, 33010
- 4 JTCHC North Center
1190 NW 95th Street, Ste. 110, 33150
- 5 JTCHC Norland Center
18360 NW 7th Avenue, 33139

School-Based Sites

- 6 Miami Edison Senior High
6161 NW 9th Court
- 7 COPE Center North
9950 NW 19th Avenue
- 8 Lillie C. Evans Elementary
1895 NW 75th Street
- 9 Poinciana Park Elementary
6745 NW 23rd Avenue
- 10 Charles R. Drew Elementary
1775 NW 60th Street
- 11 Charles R. Drew Middle
1801 NW 68th Street
- 12 Miami Central Senior High
1781 NW 95th Street
- 13 Gratigny Elementary
11905 N. Miami Avenue
- 14 Miami Park Elementary
2225 NW 103rd Street

- 15 Toussant L’Ouverture Elementary
120 NE 50th Street
- 16 Earlington Heights Elementary
4750 NW 22nd Avenue
- 17 Miami Edison Middle
6101 NW 2nd Avenue
- 18 Broadmoor Elementary
3401 NW 83rd Street

- 19 Phillis Wheatley Elementary
1801 NW 1st Place
- 20 Madison Middle
3400 NW 87th Street

- 21 Shadowlawn Elementary
149 NW 49th Street
- 22 Olinda Park Elementary
5536 NW 21st Avenue
- 23 Brownsville Middle
4899 NW 24th Avenue
- 24 Orchard Villa Elementary
5720 NW 13th Avenue

Unique Facilities

- 25 Jefferson Reaves Women’s Residential
2985 NW 54th Street

Executive Office

- Jessie Trice Community Health Center, Inc.
700 South Royal Poinciana Boulevard, Suite 300
Miami, Florida 33166
Tel: 305.805.1700
Fax: 305.805.1715

Tel: (305) 805-1700

E-mail us at: jtchc@hcnetwork.org
www.JTCHC.org • www.JTCHF.org



What you should know about

Advanced Directives

Your Rights

Under both the state and federal law, you have the right to make your own decisions about your medical care and treatment. Florida law allows your wishes to be made known in documents called *Advanced Directives*. Such directives are usually described in documents such as a *living will*, a *health care surrogate* and *durable power of attorney*.

1 What is a Living Will?

The Living Will is prepared while you are competent. It sets out your care preference should you become incapable of making medical decisions.

2 What Will a Living Will do?

Your wishes regarding life-prolonging procedures will be carried out. A Living Will is not effective until it is delivered to your health care provider.

***If you do not have a Living Will, Florida Statutes provide that if you are in a terminal condition and a decision must be made, your health care provider would consult with your physician and person legally closest to you.*

3 What are Life Prolonging Procedures?

These may include machinery to assist your breathing, performing operations, prescribing antibiotics that can increase your chances of recovery, starting your heart mechanically when it has stopped beating, or feeding you by tube. Your preference can be listed in your *Advanced Directive/Living Will*.

4 What are Comfort Measures?

Comfort Measures are medication, nursing care and other treatment administered only for the purpose of keeping you comfortable and free from pain as much as possible.

5 What is meant by Other Instruction?

Your Living Will/Advance Directive should state exactly what you do or do not want. This means that you are free to add any specific instructions or directions.

6 Can you choose someone else to speak for you if you cannot speak for yourself?

Your Living Will/Advanced Directive provides for this. It offers you an optimal proxy who can be appointed by you and with whom the health care providers can consult to address medical contingencies that may occur that you had not considered at the time of signing your Living Will/Advanced Directive.

7 Should your Living Will/Advanced Directive be witnessed?

You must sign it and date it in the presence of two witnesses, one, which is neither your spouse or blood relative. There is no requirement in the State of Florida for the document to be notarized.

8 Is there a time limitation on the effectiveness of the document?

In Florida, there is no time limitation on the duration of the effectiveness of the document. However, other states do have such a time limit.

9 Are documents signed in other states recognized in Florida and vice versa?

Living Will/Advanced Directive signed in other states are recognized and accepted in the state of Florida. It is unknown, without reviewing individual state statutes, whether other states would recognize a Living Will/Advanced Directive signed in Florida.

10 What should you do with your Living Will/Advanced Directive?

You should give a copy of the signed document to the person who might some day have to produce it for your benefit. It is important that you discuss it with him/her as well and have a copy placed in your medical record. You should also keep a copy among your important personal papers in a place known to your family or friends so that it can be easily located. Do not place the document in a safety deposit box where it cannot be readily obtained when needed. Do not attach it to your Last Will and Testament.

11 Is a Living Will/Advanced Directive legally binding?

You have a constitutional right of privacy; therefore, you may refuse any treatment at any time whether you are terminal or non-terminal. Living Will/Advanced Directive have been given weight and been recognized in court, and have in fact found hospitals and physicians liable for treating a patient against his/her wishes as set forth in Living Will/Advanced Directive.

12 Does a Living Will/Advanced Directive affect the life insurance?

No, it does not. Nearly all states that recognize Living Wills/Advance Directives have a provision under their statutes stating that insurance shall not be affected by the existence of a Living Will/Advance Directive: nor shall persons be compelled to sign a Living Will/Advance Directive as a condition for obtaining health or life insurance.

13 Is signing a Living Will/Advanced Directive or honoring the document considered suicide or assisted suicide?

No, it does not. Withholding or withdrawing life-prolonging procedures is in conformance with state court decisions.

14 Does pregnancy affect the Living Will/Advanced Directive

Yes. Pregnant patients who wish to refuse life-prolonging procedures shall be maintained on life-support contrary to their wishes until the fetus is viable and can be taken from the mother; after which, life-support may be terminated or withheld.

15 What is a Health Care Surrogate?

Florida law permits you to name a person to make your medical decisions when you are unable to give informed consent. This person does not assume responsibilities until you become incapable of making your own decisions.

16 What is a Durable Power of Attorney?

Florida Statutes permit a Durable Power of Attorney. This specifies exactly the powers which you are giving to the person holding the Durable Power of Attorney. This may include arrangements for the consent to medical, therapeutic and surgical procedures. A Durable Power of Attorney may also relate to financial situations.

***Under Florida law, you can name any adult you choose to act as your Durable Power of Attorney. This should be a person who knows your wishes.*

