Special Session Call Item:

Strengthening Patient Protections Relating to Do-Not-Resuscitate Orders

Platform language:

Plank 100: We support patients’ rights, especially near the end of life, and call for reform of existing legislation so that:

1. Texas law should provide that medical personnel may not deny care, change advanced directives, or originate directives for any patient without the permission of the patient or the patient’s designate.
2. No “Do Not Resuscitate” order may be ordered for a patient without his/her own or family’s knowledge and consent;
3. We also support the passage of legislation to amend the Advance Directive Act by requiring hospitals intending or threatening to withdraw life-sustaining treatment against the patient’s wishes or their advance directive to continue all treatment and care for such patients pending transfer to another facility.

Delegate vote at convention: Yes: 7,905.19 No: 537.45 (93.63% approval rate)

Platform Breakdown:

• Patients have rights all the way through the end of their lives regarding the treatment and care they receive.
• Require the permission of the patient or a person designated by the patient in order to deny care, give directives, or change directives.
• Specifically, a Do Not Resuscitate (DNR) order must require the consent of the patient or his/her family.

Background:

• A DNR Order is a medical directive that instructs medical professionals not to perform certain cardiopulmonary resuscitation (CPR) and other life-sustaining procedures if the patient suffers cardiac or respiratory arrest.
• Current Texas law does not require a patient’s or surrogate’s consent prior to a physician or healthcare facility writing or executing a DNR order. Health care providers impose DNR orders on patients without the patient’s or surrogate’s knowledge or consent.
• Even if a patient has expressed in writing a desire for resuscitative measures, a doctor can still write a DNR order for that patient.
• Previous legislation on this topic contains language requiring that consent be obtained from the patient or surrogate before a DNR order may be written.