

TITLE:	SUBSTITUTE DECISION MAKER	POLICY 5.04
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PURPOSE:

This policy outlines the rights of residents to a substitute decision maker.

SCOPE:

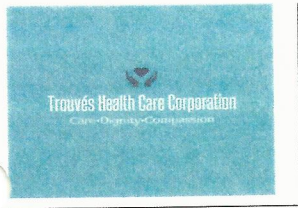
This policy applies to all residents and employees.

POLICY:

When a resident is incapable of making decisions regarding his or her care, the facility will assist in obtaining a substitute decision maker for the resident. In addition, the facility will appropriately respond if or when a resident's substitute decision maker is no longer appropriate.

PROCEDURE:

1. When a resident has a diagnosis that prevents him/her from making decisions regarding health care, and does not have a alternate decision maker, the facility will contact the appropriate agency (-ies) in order to begin the process of acquiring a legal representative for that resident.
2. When a resident has a legal representative who demonstrates lack of response or blatant inappropriate response to resident health concerns, the facility will take appropriate action to assist the resident in acquiring appropriate legal representation:
 - a. The manager or designee will discuss concerns with the current substitute decision maker.
 - b. If, following this discussion, appropriate representation is not resumed by the substitute decision maker, the manager or designee will:
 - i. Notify Adult Protective Services regarding concerns of the substitute decision maker, and request an investigation and action to change the decision maker.
 - ii. Follow directions from Adult Protective Services.
 - iii. Document actions in the resident's health file.
 - iv. Work collaboratively with all agencies involved in order to continue quality care to the resident, and continue to



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advocate for the resident.

EXCEPTIONS:

No exceptions to this policy may be granted without the prior written approval of the Director.

SUPERCEDES:

None