

Important Change to Out of Hospital Do Not Resuscitate (DNR) Declarations

Many individuals with chronic health conditions want to die with dignity. In the past, when a patient faced a life threatening incident outside of a hospital, nursing home representatives and other individuals often called the EMS, without knowing of the person's wishes or out of fear of liability for not acting. EMS providers were then required to act to stabilize a person's condition, often against a person's desires. This changed with the enactment of a law in Indiana that allows EMS providers to recognize and honor a patient's desire to make his or her own medical care decisions.

Indiana has a law that compliments present advanced care directives. A terminal individual outside of the hospital can now specify that life saving procedures be withheld if that individual were to suffer cardiac failure. This is done through an Out-of-Hospital Do Not Resuscitate (DNR) declaration.

When this law was enacted, the term "out of hospital" was defined as a place other than a hospital or a licensed nursing home or assisted living facility. This meant Out-of-Hospital DNR declarations were of questionable validity for patients in licensed nursing homes or assisted living facilities. This law changes July 1, 2011, so that Out-of-Hospital DNR declarations will now be valid in licensed nursing homes and assisted living facilities.

In order to have a valid DNR declaration, you must be a qualified individual. This means that your doctor must certify in writing on the face of the DNR declaration that you have a terminal condition or a medical condition such that if you were to suffer a heart attack, resuscitation would be unsuccessful or within a short period of time you would suffer a repeated heart failure. Your DNR declaration must be witnessed by two individuals and, again, must be signed by your attending physician certifying that you are qualified to execute a DNR declaration. Your physician should then keep a copy of the DNR declaration, and you should retain one as well.

Recognizing that individuals are unlikely to carry a copy of their DNR declaration with them at all times, the laws allow you to signify that you have a DNR in place through an identifying device. This “device” currently takes the form of a bracelet or necklace much like those worn by individuals with unique medical conditions or allergies to medicines. For example, identification devices carrying the phrase “Do Not Resuscitate” that are purchased through MedicAlert will be recognized as valid, and the individual must have the DNR declaration in place prior to obtaining the bracelet or necklace.