

Practice ALERT

NEW YORK STATE NURSES ASSOCIATION

Family Health Care Decisions Act

Effective June 1, 2010 the Family Health Care Decisions Act (FHCDA) became law. The Act allows family members and others who are closest to the patient to act as surrogates and make decisions regarding medical treatment for a loved one in certain situations. On this date, as a result of the enactment, many of the advance care directive forms and information pieces that we have become familiar with, available on the New York State Department of Health website, will also be changing. The DOH has begun to revise many forms to ensure that they will conform to the procedures and decision-making standards set forth in the FHCDA. It is important to remember that this act does not eliminate the need for advance directives including health care proxy, NYS living will or the MOLST form.

In 2008, Governor Patterson signed into law a bill that expanded the use of the Medical Orders for Life-Sustaining Treatment (MOLST) form throughout the state to include all health care settings and the patient's home, nursing home and other non-hospital settings. The MOLST form is a bright pink form signed by a NYS licensed physician that communicates patient wishes to other healthcare providers as a patient transitions across different healthcare settings. The form includes medical orders and patient preferences on CPR (cardiopulmonary resuscitation); Intubation and mechanical ventilation; artificial hydration and nutrition; future hospitalization and transfer, and antibiotics. NYSNA has accepted an invitation to be part of the MOLST Statewide Implementation Team to ensure that dissemination of all educational information and opportunities, regarding the MOLST form, are made available to nurses and the public throughout NYS. The best resource, for information, on the Family Health Care Decisions Act and the newly revised MOLST form, along with complete information on advanced care planning is on-line at www.compassionandsupport.org;
http://www.health.state.ny.us/professionals/patients/patient_rights/molst/