

Medical Orders for Life-Sustaining Treatment (MOLST) Update

Please forward this email to colleagues in your respective organizations and associations. The MOLST Training Center and MOLST web pages in the Professionals, Patients and Families sections on CompassionAndSupport.org are being updated with new material almost daily.

The New York State Department of Health updated the MOLST form in June of 2010 to make it more user-friendly and to align the form with the Family Health Care Decisions Act (FHCDA) and other provisions of Chapter 8 of the Laws of 2010 that went into effect on June 1, 2010.

MOLST Instructions and Legal Requirements Checklists for Adult Patients - Updated and Posted on NYSDOH website!

In addition to the MOLST form itself, the Department has developed legal requirements checklists. These checklists are **NOT** intended for use with patients with developmental disabilities who lack medical decision-making capacity, or patients with mental illness in a mental hygiene facility. The checklists are intended to assist providers in satisfying the complex legal requirements associated with decisions concerning life-sustaining treatment for all other patients. They are guidance documents, and the use of these checklists is not mandatory. However, providers that do not use the checklists must use an alternative method for assuring that they adhere strictly to all legal requirements for completing the form, including requirements related to securing informed consent to the medical orders from the proper person, making the clinical judgments necessary to support orders withholding or withdrawing life sustaining treatment and, where applicable, securing ethics committee approval and witnesses to the consent.

These Checklists can be found at: http://www.health.state.ny.us/professionals/patients/patient_rights/molst/ and at http://www.compassionandsupport.org/index.php/for_professionals/molst/checklists_for_adult_patients.

MOLST Instructions and Legal Requirements Checklist for Minor Patients - New and Posted on NYSDOH website!

These instructions and checklist are intended to assist health care professionals in completing the MOLST form with minor patients and the minor patients' parents or other legal guardians with authority to make health care decisions for the minor patients. They are NOT intended for use with patients with developmental disabilities or for patients with mental illness in a mental hygiene facility.

These Checklists can be found at: http://www.health.state.ny.us/professionals/patients/patient_rights/molst/ and at http://www.compassionandsupport.org/index.php/for_professionals/molst/checklists_for_minor_patients.

MOLST Instructions and Legal Requirements Checklist for Patients with Developmental Disabilities who Lack Medical Decision-making Capacity, or Patients with Mental Illness in a Mental Hygiene Facility

The MOLST form has been approved by the Office of Mental Health (OMH) and the Office for People with Developmental Disabilities (OPWDD) for use as a nonhospital DNR/DNI form for persons with developmental disabilities or persons with mental illness, including persons who are incapable of making their own health care decisions or who have a guardian of the person appointed pursuant to Article 81 of the Mental Hygiene Law or Article 17-A of the Surrogate's Court Procedure Act. The OPWDD approved checklist **MUST** be attached to the MOLST form, in order for the form to be used for persons with developmental disabilities who are incapable of making their own health care decisions or who have a guardian of the person appointed pursuant to Article 81 of the Mental Hygiene Law or Article 17-A of the Surrogate's Court Procedure Act. A link to the OPWDD checklist will be available here. A checklist for persons with mental illness in mental hygiene facilities, who are incapable of making their own health care decisions or who have a guardian of the person appointed pursuant to Article 81 of the Mental Hygiene Law or Article 17-A of the Surrogate's Court Procedure Act, is under development.

MOLST Chart Documentation Forms - Updated and Posted on CompassionAndSupport.org website!

Documentation of the clinical process and legal requirements must be included in the medical record. Completion of the appropriate MOLST Chart Documentation Form serves as documentation of both the conversation and the legal requirements and should remain in the medical record. *Use of these forms is optional.*

- **MOLST Chart Documentation Forms align with the Checklists for Adult Patients** and can be found at http://www.compassionandsupport.org/index.php/for_professionals/molst/checklists_for_adult_patients.
- **MOLST Chart Documentation Form aligns with the Checklist for Minor Patients** and will be posted next week on http://www.compassionandsupport.org/index.php/for_professionals/molst/checklists_for_minors

MOLST and FHCDA Webinar Series - View Three Webinars Posted on CompassionAndSupport.org website!

Recorded webinars and slides on

http://www.compassionandsupport.org/index.php/for_professionals/molst_training_center/molst_and_fhcda_webinar_series:

- FHCDA and Ethics Review Committee Training
- Capacity Determination
- MOLST and FHCDA

Special thanks to Mary Beth Morrissey and Bruce Jennings for their leadership on developing the Ethics Review Committee Training. We have agreed to answer follow-up questions and post the responses on [CompassionAndSupport.org](http://www.compassionandsupport.org).

eMOLST - New on CompassionAndSupport.org website!

The eMOLST Preview held on October 19th was a success. Details on the eMOLST program and next steps can be found on [CompassionAndSupport.org](http://www.compassionandsupport.org) at

http://www.compassionandsupport.org/index.php/for_professionals/molst_training_center/emolst.

Two-Step Approach to Advance Care Planning: Community Conversations on Compassionate Care and MOLST - New Revised!

The Family Health Care Decisions Act **DOES NOT** eliminate the need for open and honest conversations with loved ones about wishes and desires for medical care. And it **DOES NOT** eliminate the need to have advance care directives on file with your doctors, your attorney and your family members. The Advance Care Planning landing page in the Patients & Families Section has been revised on the [CompassionAndSupport.org](http://www.compassionandsupport.org) website to align with FHCDA; view

http://www.compassionandsupport.org/index.php/for_patients_families/advance_care_planning.

Thank you for serving on the MOLST Statewide Implementation Team and your support of the MOLST Program!



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