



DEPARTMENT: Compliance	ORIGINAL APPROVAL: 12/01/2004
POLICY #: CO291	LAST APPROVAL: 01/11/2013
TITLE: Advance Directives	
APPROVED BY: Ethics Committee	
DEPENDENCIES: CO292 – Advance Directives Procedure	

PURPOSE

Community Health Plan of Washington (CHPW), together with its contractors (including providers and delegated vendors), shall comply with the provisions of any Federal or State law, agency determination or contract requirement regarding advance directives.

POLICY

An **advance directive** gives written instructions about a member's future medical care in the event that the member is unable to express his or her medical wishes. For the state of Washington, this written instruction takes the form of two documents: a **Health Care Directive** (also known as a Living Will) and a **Durable Power of Attorney for Health Care**.

Under CMS guidelines, CHPW follows state regulations regarding advance directives for its Medicare Advantage program.

MEMBER NOTIFICATION

Upon enrollment, CHPW notifies all members in writing that they or their authorized representative have a right to make decisions concerning their care, including decisions to withhold resuscitative services, to decline or withdraw from life-sustaining treatment, to accept or refuse surgical or medical treatment, to implement an advance directive, and to cancel an advance directive at any time.

To ensure that members are kept informed, they must also be also notified of these rights at the following times:

- When they are admitted to a hospital as an inpatient;
- When they are admitted as a resident at a nursing facility;
- Before coming under the care of an in-home care provider or at the time of the first home visit, provided that notification comes before any care is administered; and
- At the time a member initially receives care from a hospice program.

CHPW and its contractors inform members of these rights in a language that they can understand.

Potential enrollees may receive a copy of CHPW's policy and procedure regarding advance directives upon request. CHPW also posts a copy of this policy and procedure on its website at www.chpw.org.



PROVIDER NOTIFICATION

This policy and its associated *Advance Directives* procedure (CO292) are made available to its providers via CHPW’s Provider Manual and on CHPW’s website at www.chpw.org.

Primary care providers are encouraged to discuss advance directives with adult patients and are required to document the results of this discussion in the medical record.

To ensure oversight and compliance, CHPW provides a copy of its advance directives policy and procedure to the Washington State Health Care Authority (HCA).

APPENDICES

None.

CITATIONS & REFERENCES

CFR	42 CFR 438.6, 42 CFR 438.10, 42 CFR 422.128, 42 CFR 489.100, 42 CFR 489 § I, 42 USC 1396a, § (w); 42 CFR 417.436	
WAC	WAC 182-501-0125	
RCW		
CONTRACT CITATION	<input checked="" type="checkbox"/> BH (BHS, BH-SUB, BH-HCTC)	
	<input checked="" type="checkbox"/> HO/SCHIP (HO, SCHIP, S-MED, BH+)	
	<input checked="" type="checkbox"/> MCS	
	<input checked="" type="checkbox"/> WHP	
	<input checked="" type="checkbox"/> MA	MMCM Ch 4
OTHER REQUIREMENTS	-	
NCQA ELEMENTS		

REVISION HISTORY

REVISION DATE	REVISION DESCRIPTION	REVISION MADE BY
12/01/2004	Revised and approved	Maryann Schwab
08/01/2007	Formatting	Alan Brandon
08/07/2008	Formatting	Sunny Otake
08/18/2009	Formatting; revised language; add NCQA ref	Jennifer Carlisle
10/01/2009	Approval	Marilee McGuire
10/22/2009	Updated NCQA Reference	Jennifer Carlisle
01/10/2011	Provisional Approval	Marie Zerda
03/03/2011	Approval	Ethics Committee
02/08/2012	Provisional Approval	Marie Zerda
06/20/2012	Approval	Ethics Committee
12/18/2012	Review	Jen Carlisle
01/11/2013	Provisional Approval	Marie Zerda