



**For Physicians, Nurse Practitioners, and
Health Care Providers:**

**New State Regulations Regarding Adults
with Serious Advancing Illness**

Information and useful resources to help you and your patients understand the new regulations and work in partnership to match the best possible care to a patient's values and choices.

What are the new state regulations?

Effective December 19, 2014, state regulations require all licensed hospitals, clinics, and long-term care facilities to distribute information on a full range of end of life care options to patients with serious advancing illness, to enable patients to make informed health care choices. A full range of care options includes advance care planning, palliative care, hospice care, and end of life care.

Who does this effect?

The regulations mandate that “*attending health care practitioners*”, defined as a physician or nurse practitioner who has primary responsibility for the care and treatment of a patient, must distribute information on a full range of care options to “*appropriate patients*”, defined as patients whose attending care practitioner has:

1. diagnosed a terminal illness or condition which can reasonably be expected to cause a patient's death within 6 months, whether or not treatment is provided; or, 2. determined that discussion of palliative care services is consistent with the patient's clinical and other circumstances and the patient's reasonably known wishes and belief.

Further, if the appropriate patient can not make effective health care decisions, the health care practitioner must offer a full range of care options to the patient's Health Care Agent and Guardian.

What rights do patients have under the new regulations?

All patients, their Health Care Agents and Guardians, have the legal right to receive information about the patient's medical condition, prognosis, and the benefits and burdens of treatment options, in order to make care choices, communicate those choices in planning documents, and have their choices honored. Additionally, the new regulations state that appropriate patients have the legal right to receive timely information that is culturally and linguistically sensitive regarding advance care planning, life-sustaining treatments, palliative and hospice care services, and end of life care options.



How do hospitals, clinics, and long-term care facilities comply with the new regulations?

Facilities are required to develop a policy to identify appropriate patients, and provide their attending health care practitioners with necessary information. At a minimum, attending health care practitioners are required to offer appropriate patients the Department of Public Health's informational brochure, "[Know Your Choices: A Guide for Patients with Serious Advancing Illness](#)", to encourage discussion and enable patients to make informed choices. The brochure is available in 10 languages. [Click here](#).

Where can I find information and tools for myself and for my patients?

Below are **links to resources** to help you work in partnership with patients to start planning discussions and match the best possible care to their values & choices. Click on the links to read more.

[Getting Started: Who's Your Health Care Agent?](#)

Help your patients start the planning process by choosing a Health Care Agent. Easy to follow steps and a free downloadable Health Care Proxy make it simple to "do-it-yourself".

[3-Step Health Care Planning Guide](#)

The self-help guide enables adults to make a personal plan and connect to person-centered care:

- Step 1: EXPLORE. Consider information and reflect on your beliefs to *make choices for care*;
- Step 2: PLAN. Use Massachusetts planning documents to *communicate your choices*;
- Step 3: CONNECT. Put your plan into action to promote wellness and *honor your choices*.

[5 Massachusetts Care Planning Documents](#)

Here are the legal, personal, and medical documents we use to communicate choices:

- Health Care Proxy
- Personal Directive (Living Will)
- Durable Power of Attorney
- Medical Orders for Life Sustaining Treatment (MOLST)
- Comfort Care/Do Not Resuscitate Order (CC/DNR)

[Things to Know About Life-Sustaining Treatments](#) Informational Sheet

[Things to Know About Palliative Care](#) Informational Sheet

[Things to Know About Hospice Care](#) Informational Sheet

[Massachusetts MOLST](#). Information on the MOLST form, translated into 9 languages.

[Hospice & Palliative Care Federation of Massachusetts](#). Information and a hospice locator.

For additional information for you and your patients, visit us at www.honoringchoicesmass.com