

## LEGACY HEALTH POLICY

### Disabled Patients Right to Designate Support Persons for Oregon Hospitals

#### POLICY:

#### Support Persons

Legacy hospitals located, in the state of Oregon, must allow a patient to *choose* at least three (3) support persons and to *allow* at least one (1) support person to be with the patient at all times in the emergency department and during the patient's stay at the hospital, if necessary to facilitate the patient's care.

This includes but is not limited to when the patient:

1. Has a cognitive or mental health disability that affects the patient's ability to make medical decisions or understand medical advice;
2. Needs assistance with activities of daily living, and the hospital staff are unable to provide or less effective at providing the assistance;
3. Is deaf, is hard of hearing or has other communication barriers and requires the assistance of a support person to ensure effective communication with hospital staff; or
4. Has behavioral health needs that the support person can address more effectively than the hospital staff.

Legacy must ensure that a support person designated by a patient is present for any discussion in which the patient is asked to elect hospice care or to sign an advance directive or other document allowing the withholding or withdrawing of life-sustaining procedures or artificially administered nutrition or hydration, unless the patient requests to have the discussion without the presence of the support person.

Legacy must inform a patient, verbally and in writing, at the time the hospital services are scheduled or upon admission, of the patient's right to choose support persons and must post Legacy's policy and requirements for support persons at entry points to the hospital and on the hospital's website.



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Support persons will not provide translation services. Please refer to Legacy policy regarding Interpreter Services.

### **Behavioral Health Care**

To ensure privacy and safety of all patients, support persons and Legacy workforce in locked units with people receiving behavioral health care, access to support persons may be limited to hours and areas normally allowed to visitors. Access to support persons may be granted by virtual methods, including telephone or video platforms. A clinical care conference will be held to determine the parameters of accommodation provided by the support person for the patient.

### **Conditions to Protect Safety**

Legacy may limit the number of support persons allowed to be present with the patient at the same time and may limit the total number of support persons allowed to be present in one day.

To ensure the safety of the patient, support person and Legacy workforce, support persons may not perform tasks otherwise done by a hospital employee and must comply with the following conditions:

1. Wear personal protective equipment provided by Legacy and follow hand washing and other protocols for preventing the potential spread of infection.
2. Be free of any symptoms of viruses or contagious diseases.
3. Submit to screenings for viruses or contagious diseases upon entering and exiting the hospital.
4. May not dispense medications of any kind without consultation with the patients' clinical care team.
5. May not make changes to medical devices or technology that supports patients care, including but not limited to oxygen.
6. May not accompany patients to locations where visitors would otherwise not be permitted, this includes but is not limited to operating rooms, seclusion rooms and locked units with people receiving behavioral health care where visitors are not otherwise permitted.
7. Additional conditions to protect the safety of the patient, supports and caregivers may be established to reflect unique safety aspects related to the patient population of a hospital unit and the treatment methods used in that unit. Safety conditions may also be established for specific patients to reflect individual safety and treatment needs.



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If necessary to facilitate the patient's care, support persons may always be present with the patient in the emergency department and during the patient's stay at the hospital, unless otherwise not allowed under Legacy policy. Legacy retains the right to restrict the presence of support persons to what is feasible and needed to maintain safety of the patient, support persons, and caregivers.

Nothing in this section prevents a patient and his or her treating team from reviewing available medical options in the privacy of the therapeutic relationship. This includes situations where a patient with decision-making capacity informs his or her treating provider that less aggressive medical care is desired.

#### **DEFINITIONS:**

**Patient:** A patient admitted to a hospital or in an emergency department who needs assistance to effectively communicate with hospital staff, make health care decisions or engage in activities of daily living due to a disability, including but not limited to:

- a. A physical, intellectual, behavioral or cognitive impairment;
- b. Deafness, being hard of hearing or other communication barrier;
- c. Blindness; footer
- d. Autism; or
- e. Dementia

**Support Person:** A family member, guardian, personal care assistant or other paid or unpaid attendant selected by the patient to physically or emotionally assist the patient or ensure effective communication with the patient.

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