

Great Rivers Behavioral Health Organization

Policy Title: Advance Directives	Policy No. 3000.01
Category: Clinical	Date Adopted: 04/01/2016 Date Revised: 03/08/2019
Reference: Washington Department of Social and Health Services (DSHS) Contracts with Great Rivers Behavioral Health Organization; Washington State Health Care Authority (HCA); Washington Administrative Code (WAC); RCW 71.32; 42 CFR 422.128, 42 CFR 438.100(b)(2)(iv), 42 CFR 438.6(i) and 42 CFR 489.102; Washington State Medicaid Managed Care Quality Strategy	

Policy:

- 1.1. Great Rivers Behavioral Health Organization ("Great Rivers") shall ensure adult (age 18 and over) individuals and their families receive written information about Advance Directives including a description of Washington State law and information regarding the implementation of an Advance Directive. This information will also include Great Rivers' policy and procedure regarding implementation of Advance Directives.
- 1.2. Great Rivers requires written information on Advance Directives be updated whenever there are changes in State law, as soon as possible, and no later than ninety (90) days after the effective date of the change.
- 1.3. It is Great Rivers' practice to encourage and honor the use of Advance Directives; however, provision of care shall not be conditioned upon execution of an Advance Directive nor shall a Behavioral Health Agency (BHA) discriminate against an individual based on whether or not they have an Advance Directive.

Procedure:

BHAs will:

- 2.1. Ask if an adult individual has an Advance Directive at intake and re-assessment.
 - 2.1.1. If the individual has an Advance Directive, the BHA will request a copy and maintain it in the individual's current record.
 - 2.1.2. Information that an individual has an Advance Directive will also be documented on the individual's crisis plan and shall note the individual's agent for the Advance Directive.
 - 2.1.3. A directive executed in accordance with Washington's Advance Directive statute (RCW 70.122) or Mental Health Advance Directive statute (RCW 71.32) is presumed to be valid. The inability to honor one or more provisions of a directive does not affect the validity of the remaining provisions.
- 2.2. Provide written information about Advance Directives including the relevant State law and information regarding the implementation of an Advance Directive to the adult individual at the intake assessment and upon request. This information will also include a description of the BHA's policy and procedure regarding implementation of Advance Directives.
 - 2.2.1. Medical Advance Directive forms, brochures, and additional information are available on the DSHS website. Currently: <https://www.dshs.wa.gov/altsa/home-and-community-services/legal-planning>
 - 2.2.2. Mental Health Advance Directive forms, pamphlet, and additional information are available on the Health Care Authority (HCA) website. Currently:

<https://www.hca.wa.gov/health-care-services-and-supports/behavioral-health-recovery/mental-health-advance-directives>

- 2.2.3. In the event that an individual is incapacitated at the time of initial enrollment and is unable to receive information or articulate whether or not he or she has executed an Advance Directive, the Advance Directive information may be given to the individual's family or surrogate (in the same manner the BHA issues other materials to the family of the incapacitated individual or to a surrogate or other concerned persons, in accordance with State law.) At such time as the individual is no longer incapacitated the information on Advance Directives shall be given to the individual directly.
- 2.3. Document in the adult individual's record that written information on Advance Directives has been provided to that individual. For mental health inpatient services, the treatment plan must contain documentation of any advance directives provided by the individual.
- 2.4. Inform individuals that complaints concerning non-compliance with the Advance Directive may be filed with:
- Washington State Department of Health
Phone: 360-236-2620
www.doh.wa.gov
- Mail: Mark clearly on the envelope "Confidential"**
Health Systems Quality Assurance
Complaint Intake Unit
PO Box 47857
Olympia, WA 98504-7857
- Email:** HSQAComplaintIntake@doh.wa.gov
Phone: 360-236-4700
Fax: 360-236-2626
- 2.5. Great Rivers requires its BHAs to provide training on Advance Directives during orientation of new staff, and annually to all staff. Training will include definitions, State law, educational materials for individuals, and role requirements and prohibitions in relation to implementation of Advance Directives. Training shall emphasize the purpose of an Advance Directive in enhancing an incapacitated individual's control over their treatment.
- 2.6. On-site audits of BHAs conducted by Great Rivers include checks for evidence of compliance with the provisions of this policy. When a need for corrective action is identified during such audits, network providers address compliance issues via their quality improvement processes and provide evidence of sustained improvement. Great Rivers' staff review audit findings for trends requiring system level intervention and report such to the Great Rivers Quality Management Committee for action.

POLICY SIGNATURE

Edna J. Fund, Chair
Great Rivers Governing Board

_3/8/2019_____
Date