

## Advance Directives— CCS303

<b>Subject:</b> Advance Directives	<b>Effective:</b> 10/23/17
<b>Policy #:</b> CCS303	<b>Review Schedule:</b> Annual or as needed

**Applicability:** ABC, CHP, Provider Relations

### Definitions:

**Advance Directive:** Written instructions recognized under state and federal law relating to the making of medical treatment decisions and the provision of healthcare when or if an individual is incapacitated. Advance Directives recognized under Colorado law include medical durable powers of attorney, living wills, and cardiopulmonary resuscitation (CPR) directives.

**Policy:** Colorado Access will notify providers of their obligations regarding Advance Directives and provide members with written information on its Advance Directives policies and a description of applicable State law.

### Procedures:

1. **Provider requirements regarding advance directives.** The Provider Manual shall contain the following information:
  - a. Member's right to accept or refuse medical treatment;
  - b. The member's right to formulate advance directives;
  - c. Expectations regarding implementation of member rights regarding Advance Directives, including the requirement to document the presence of an Advance Directive in the medical record;
  - d. Links to Colorado Access web pages that provide additional information and resources regarding Advance Directives;
  - e. The provision of care may not be conditioned on the presence or absence of an Advance Directive;
  - f. Members will not be discriminated against based on whether an Advance Directive has been executed, amended, or revoked;
  - g. Documentation in the member's medical record substantiating the provider's reason for noncompliance with an advance directive based on conscience or professional ethics; and
  - h. Applicable facilities are required to provide written information at the time of admission or prior to the delivery of services.

2. **Member information regarding Advance Directives.** Colorado Access will provide members with written information about Advance Directives in the member handbook and on our website. Information shall include:
  - a. The member's rights under state law to make decisions regarding their medical care, and
  - b. A description of the applicable Colorado statute.

**References**

10 CCR 2505-10 8.130.3.A-B