

This brochure courtesy of Legal Services of Northern Virginia. If you have questions about this material or this subject, we would like to hear from you. [Send us e-mail](#) or call at 703-778-6800.

Special "Do Not Resuscitate" Orders

1. IN GENERAL, WHAT DO THE EMERGENCY MEDICAL SERVICES DO WHEN THEY RESPOND TO A CALL?

Usually when someone calls the Emergency Medical Services (EMS) it means they are having a medical problem that must be treated right away. When the Emergency Medical Services personnel respond to a call they are trained to administer medical treatment in order to help the patient. By law this means they must attempt to revive a person if their heart stops beating or they are not breathing. The EMS revives people by using a procedure called "CPR". However, special situations exist when a person may not want to be revived and would prefer to die naturally, especially if that person already has a serious illness.

2. MUST THE EMS REVIVE ALL PERSONS WHEN RESPONDING TO A CALL?

The EMS personnel used to be required to revive all persons no matter what the circumstances, which resulted in people being revived when they would have preferred to die naturally. In response to this problem Virginia has a new law which would allow EMS personnel to withhold heroic measures under very specific circumstances.

3. WHEN WOULD THE EMS PERSONNEL BE ALLOWED TO WITHHOLD CPR?

The Virginia law now allows doctors to issue a special type of "Do Not Resuscitate" (DNR) order which tells the EMS personnel not to revive a particular person if their heart stops beating or they stop breathing. If a person has one of these special orders the Emergency Medical Services will no longer be required to revive that person by performing CPR. Instead, EMS will provide comfort care and transport the patient to a medical facility if necessary.

4. WHO SHOULD CONSIDER HAVING ONE OF THESE SPECIAL ORDERS?

Only persons who have already been diagnosed as having a "terminal condition" by their attending physician may obtain a special "Do Not Resuscitate" order. A "terminal condition" means that a person has a medical condition which can not be cured and 1) the person is going to die from that medical condition or 2) the person's medical condition has left him in a state of permanent unconsciousness.

Any one with a terminal condition who is living at home or in an adult care facility should consider obtaining a special "Do Not Resuscitate" order, especially if they know that they do not want any further medical procedures performed to prolong their life.

5. HOW CAN I OBTAIN A SPECIAL DO NOT RESUSCITATE ORDER IF I SHOULD NEED ONE?

Because a special do not resuscitate (DNR) order is actually a doctor's order only a patient's attending physician can issue one. This is not a document that can be drafted by an attorney. The order must be written on a special form printed by the Department of Health. These forms are available at local health departments and hospitals. If you are diagnosed with a terminal condition and would like a special DNR order you should talk to your attending physician about issuing you one.

6. WHAT DOES A SPECIAL DNR ORDER CONSIST OF?

A special DNR order consists of two things: 1) a special form printed by the Department of Health and 2) a plastic bracelet.

The special DNR order form contains the actual doctor's order stating that the patient is not to be revived by the EMS should they stop breathing or if their heart stops beating. The patient or their designated health care decision maker must also sign the form. The bracelet is made out of durable plastic and looks very similar to a standard hospital bracelet. It contains specific information including the patient's name, Social Security number, the doctor's name, the doctor's phone number, and the dates the special order is in effect. Once it is put on the bracelet may only be removed by cutting it off. A bracelet that has been cut is not reusable.

7. HOW LONG IS A SPECIAL DNR ORDER VALID?

The order is valid for only one year after it is issued. If a patient still wants the order to continue after a year has passed the attending physician must issue a new one.

8. HOW WILL THE EMERGENCY MEDICAL SERVICES KNOW IF I HAVE A SPECIAL DNR ORDER?

The EMS personnel are instructed to look for special Do Not Resuscitate orders in specific designated places such as the back of the patient's bedroom door, in the patient's wallet, on the refrigerator, and on the patient's bedside table. Also, the EMS personnel will look to see if you are wearing a valid bracelet issued by your doctor. If the EMS personnel find a valid order or see that you are wearing a valid bracelet they will not attempt to revive you if your heart stops or you stop breathing. However, if there is no order form or bracelet the EMS must start CPR in order to revive you.

If you have a special DNR order it is good idea to notify your local Emergency Medical Service so that they are aware of it before being called in for a medical emergency.

9. IF I ALREADY HAVE ADVANCE DIRECTIVES OR A LIVING WILL DO I STILL NEED A SPECIAL DNR ORDER?

If you do not want to be revived by the Emergency Medical Services you must have a special DNR order even if you already have Advance Medical Directives or a Living Will. A Living Will expresses your wishes about particular medical treatments in the event you are unable to decide for yourself. However, it applies only when you are in the hospital or some other medical facility such as a nursing home. EMS personnel legally are not covered under a Living Will and if they are called they will use CPR to revive you even if you have a Living Will. The only way to prevent this is to have your attending physician issue a special DNR order that the EMS personnel can follow. It is possible that certain people may need both a Living Will and a special DNR order to assure that their wishes regarding medical treatments are carried out.

10. WHAT IF I CHANGE MY MIND AND WANT TO BE REVIVED?

You can revoke a special DNR order at any at any time by physically destroying the order form and cutting off the bracelet. If you tell EMS personnel that you want to be revived they must start CPR if your heart stops beating or you stop breathing even if you have a valid form and bracelet.

11. WHERE CAN I GET MORE INFORMATION ABOUT SPECIAL DNR ORDERS?

Since only physicians are authorized to issues special DNR orders, you should talk to your attending physician if you want more information or think you may need a special DNR order.

If you would like to obtain additional information on special DNR orders you may also contact one of the branch offices at Legal Services of Northern Virginia. While lawyers can not issue special DNR orders, a lawyer familiar with the special DNR law can explain the law to you and answer any questions you may have.

IMPORTANT

Everyone's situation is different and most every rule has exceptions. The information above is intended only for general informational purposes in the State of Virginia. It may not apply to your individual situation. Therefore, it is advisable to discuss your particular situation with a lawyer.

If you need legal help, call the Legal Services Branch that serves the city or county in which you live to make an appointment. To be helped by Legal Services, you must meet financial eligibility requirements. These guidelines will be explained to you when you call.

MAIN OFFICE (FALLS CHURCH OFFICE)	703-778-6800
ALEXANDRIA OFFICE	703-684-5566
ARLINGTON OFFICE	703-532-3733
FAIRFAX OFFICE	703-246-4500
LOUDOUN OFFICE (IN LEESBURG)	703-777-7450
MANASSAS OFFICE	703-368-5711

LAWYER REFERRAL SERVICES

For a small fee you can have a half hour appointment with an attorney, call:

Alexandria	703-548-1105
Arlington	703-228-3390
Fairfax	703-246-3780
Statewide	800-552-7977
Services are available for the hearing impaired by calling:	800-828-1140

Phone numbers updated February 2005

