

# Section 1 - ADMINISTRATIVE POLICIES

## 1.03 Refusal of Service

- Obtain history from the patient and / or others in the area.
- Obtain and record at least one (1) set of vital signs for each patient. If unobtainable, justify on report.
- Perform a brief physical examination, paying particular attention to alterations in mental status and to any traumatic injury or medical illness that may represent a threat to the well-being of the patient.

**DETERMINE IF THE PATIENT HAS AN “EMERGENCY MEDICAL CONDITION”:**  
EMERGENCY MEDICAL CONDITION – Florida Statute 395.002 (9)

A medical condition manifesting itself by acute symptoms of sufficient severity, which may include severe pain, such that the absence of immediate medical attention could reasonably be expected to result in any of the following:

- Serious jeopardy to patient health, including a pregnant woman or fetus.
- Serious impairment to bodily functions.
- Serious dysfunction of any bodily organ or part.

**ASSESS THE COMPETENCY OF THE PATIENT:** For EMS purposes, a competent patient shall be defined as one who:

- Is over 18 years of age
- Is Awake, Alert and Oriented to person, place, time and event (AAOX4)
- Has no sign of injury or illness which may impair the ability to make an informed decision
- Is not apparently intoxicated by drugs or alcohol and has no evidence of mental incapacitation

Where the patient involved is a minor and:

- The patient exhibits no historical or physical findings of injury or illness
- Is not intoxicated, and has no alterations in mental status, level of consciousness, or vital signs

**REFUSAL GUIDELINES:** An adult patient cannot refuse treatment if they have all of the following:

- An "Emergency Medical Condition"

- They are incapacitated
- They are unreasonable

In the case of a minor, care may be refused by a responsible parent / legal guardian provided that the person making the decision

- Is competent and the patient does not have an "Emergency Medical Condition".

INCAPACITATED PATIENT: If the patient has an "Emergency Medical Condition" and the patient (or parent or guardian) is unreasonable or "incapacitated", and refusing transport:

- Explain to patient, (or parent or guardian), the need for transport, reassure patient that no harm will result from transport but that complications, up to and including death, may result from a delay in treatment.
- If patient, (or parent or guardian), continues to refuse care enlist the aid of law enforcement personnel to secure patient for transport.

EMERGENCY EXAMINATION AND TREATMENT OF INCAPACITATED PERSONS – FS 401.445

Indicates an EMT, Paramedic or Physician may, using reasonable force, restrain, examine, treat and transport patients to the appropriate facility if they meet the following criteria:

- The patient has an emergency medical condition which a reasonable person would seek medical attention and they are refusing, AND
- The patient has a condition whether from a substance, medical, traumatic or psychological, which renders the patient unreasonable and/or incapable of providing appropriate informed consent.

If the patient, (or parent or guardian), is judged competent to refuse transport:

- Emphasize the need for care, the risks of refusal of care (if applicable), and the willingness of EMS to transport the patient.
- Emphasize that EMS stands ready to respond should the patient, parent or guardian change his or her mind.
- All episodes which involve refusal of care or assessment of competency must be documented completely on a Patient Care Report.
- If a patient has been treated for hypoglycemia or seizures, transport is not required if:
- The patient is stable

AND

- The patient has a competent adult that will remain with the patient for hours

## AND

- The patient understands and agrees to the following instructions: Hypoglycemia – eating and re-checking sugar. Call back if necessary. Seizures – take medication if indicated. Call back if necessary.
- For seizures, the patient cannot have:
  - fever
  - repetitive seizures
  - an unusual seizure for the patient
  - New onset of seizures

## REFUSAL DOCUMENTATION

- When documenting a refusal on a person deemed to be competent to make an informed refusal decision, the following statement needs to be documented as part of the narrative:

*“The patient (or parent, guardian, Medical POA) currently has an emergency medical condition for which he/she is making an informed refusal of medical service/transportation AND is not impaired or incapacitated by any substance or medical/trauma condition which makes their medical decision making unreasonable.”*