



Virginia Beach Department of Emergency Medical Services



OPERATIONS

EMERGENCY MEDICAL CUSTODY PETITION POLICY

PURPOSE: The purpose of this policy is to establish a uniform process for petitioning the courts to issue an Emergency Medical Custody Order for adult persons who are incapable of making an informed decision as a result of physical injury or illness.

APPLICABILITY:

This policy applies to all members of the Department of Emergency Medical Services for use in the rare occasion that all other means have been exhausted to legally provide medical transportation to treat for the adult patient who may have an acute traumatic or medical emergency condition and is unable to make an informed decision.

POLICY STATEMENT:

It shall be the policy of the Department that the procedure to petition the courts for a emergency medical custody order only be enacted once ALL possible options have been exhausted to provide emergency medical transportation and treatment for a conscious adult patient suffering from a physical injury or illness and is incapable of making an informed decision.

1. Prior to enacting this procedure to petition the court, the member shall ensure a complete situational assessment and paramedic evaluation of the patient is performed.
2. Should the member determine from this assessment that the patient:
 - Has a physical injury or illness that requires testing, treatment or observation AND

- Has a medical condition or injury that renders the patient unable to make an informed decision AND
 - Refuses medical transportation to treatment AND
 - Indicates an intention to resist such transportation to treatment AND
 - Such refusal could cause imminent and irreversible harm.
3. THEN the member should ensure that there is no legally authorized person available to give consent for this patient.
 4. PROVIDED that there is no legally authorized person available to give consent for the patient the member shall request a police officer and an EMS field supervisor to the scene for additional assistance.
 5. PROVIDED that the EMS field supervisor concurs with the member's and paramedic's assessment AND the police officer is unable to utilize other legal means to transport the patient to treatment, the EMS field supervisor shall then follow the procedure to petition the courts for the issuance of a Emergency Medical Custody Order.

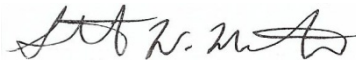
ORDERED:



1/24/2017

EMS Chief

Date



1/24/2017

Stewart W. Martin, MD
Operational Medical Director