

WHO BENEFITS FROM USING THE GUIDELINES?

By using the Guidelines, physicians and other members of the health care team can benefit from a more clearly defined pathway for medical futility decision-making. Also, they may avoid conflict over the option of not treating a patient if the situation is futile.

Patients, families, health care surrogates or proxies who use the Guidelines can benefit by a process that opens lines of communication with the health care team. Expectations of both the patient and the health care team may be clarified, and conflict may be avoided at the end of life.

The Guidelines may also be used by hospitals and nursing homes to develop their own specific institutional policies when the patient (or family, or health care surrogate or proxy) wishes to continue treatment considered to be futile.

The Guidelines are fully explained and defined in The Medical Futility Guidelines of South Florida report. Additionally, the report compares the Guidelines available from the Health Council of South Florida to other national community-based efforts, including the Colorado Collective for Medical Decisions, Inc. (CCMD), and the Sacramento Healthcare Decisions' ECHO Project, as well as provides current updates of the Toronto, Houston and Oregon medical futility models.

ACKNOWLEDGEMENTS

The Health Council of South Florida, Inc. thanks its Health Care Ethics Committee, composed of representatives from the following groups in Miami-Dade and Monroe Counties, for developing the Medical Futility Guidelines of South Florida:

- Leading health care facilities and providers
- Hospice organizations
- Representatives from other business and community settings, including attorneys, clergy and consultants
- Residents and community leaders of Miami-Dade and Monroe Counties

A full copy of The Medical Futility Guidelines of South Florida can be obtained at the Health Council website: <http://www.healthcouncil.org> or by calling the Health Council of South Florida, Inc. at (305) 592-1452.



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** The Medical Futility Guidelines of South Florida are not intended to substitute for individual facility policies or essential communication between family and physicians.*

The Medical Futility Guidelines of South Florida

A Guide for Physicians and the Health Care Team



Health Council of South Florida, Inc.

A set of guidelines is available from HCSF to avoid conflict in medically futile situations.

WHAT ARE THE MEDICAL FUTILITY GUIDELINES OF SOUTH FLORIDA?

The Medical Futility Guidelines of South Florida presents a method to follow when the attending physician and health care team believe a particular treatment is futile, but the patient (or family or surrogate or proxy) insists on receiving that treatment.

Physicians and other health care providers often feel inadequately trained or uncomfortable in helping their patients with certain issues that may arise at the end of life. Particularly difficult is the scenario where the attending physician determines "medical futility," but the patient (or family, surrogate or proxy) insists on treatment.

The right to refuse medical treatment is of significant importance and, in recognition of a competent adult's right to self-determination, should be observed even when the patient may benefit from treatment. This right of refusal does not create a presumption in favor of demanding treatment, especially a medical treatment that would serve no known medical benefit.

Significant legislation has been developed at the federal and state levels pertaining to a patient's right to refuse unwanted medical intervention. However, no statutory provision exists for cases where the patient and his/her family demand treatment for conditions when there is no medical benefit. This type of scenario is often referred to as a "medically futile situation."

WHY WERE THESE GUIDELINES DEVELOPED?

Physicians and other members of the health care team use many approaches to address situations of medical futility; some approaches may result in unnecessary conflicts between the health care team and a patient who insists on treatment. In view of the lack of clear approaches to this difficult scenario, community groups around the U.S. are developing their own guidelines.

In an effort to provide direction in the South Florida community for those cases where the attending physician's opinion of futility and the patient's (or family's) wishes for continuing treatment conflict, the Health Council of South Florida, Inc. developed the Medical Futility Guidelines of South Florida, using a process that was based on established principles of medical ethics and community involvement.



HOW WERE THESE GUIDELINES DEVELOPED?

The Medical Futility Guidelines of South Florida were developed over a four year period. Through a structured process of community inclusion and input, the Guidelines reflect the varied cultural, ethnic and religious contributions of such a diverse region. This was achieved through community forums, public presentations, and media involvement. The Health Council involved many professionals, community leaders and local residents of various ages, cultures, religions and perspectives. Guiding the process was the Health Care Ethics Committee of the Health Council, composed of local professionals in the field of medical ethics, including physicians, nurses, academicians, nursing home administrators, attorneys and social workers.

HOW TO USE THESE GUIDELINES?

When applying the Medical Futility Guidelines of South Florida, the premise is that the patient's health care team will have discussed the following key issues beforehand with the patient, the family, the health care surrogate or proxy:

- the nature of the condition and the prognosis;
- the patient's goals for treatment;
- the range of options available for care, including palliative care and hospice services; and
- reasons why the treatment is considered futile.