

<b>Title:</b> Designation of Support Persons- Policy	<b>Document #:</b> 10161
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<b>Sites:</b> System :	<b>Page 1 of 5</b>
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## SUMMARY OF POLICY:

It is the policy of St Charles Health System (SCHS) to outline the requirements related to facilitating the designation of Support Persons by eligible patients as required by Oregon regulations.

## SCOPE:

This is a policy that applies to the St. Charles Health System.

## RATIONALE:

This policy exists to ensure that patients with disabilities receive proper support and care at SCHS. By allowing designated support persons, we promote effective communication and enhance patient safety, dignity, and autonomy.

**DEFINITION(S):** Under this Policy, the following definitions shall apply:

**Disability:** Will mean, but will not be limited to, (i) a physical, intellectual, behavioral, or cognitive impairment, (ii) deafness or being hard of hearing or other communication barrier, (iii) blindness, (iv) autism, or (v) dementia.

**Disabled Patient:** Patient admitted to a hospital, or in an emergency department, who needs assistance to effectively communicate with hospital staff, make health care decisions, or engage in activities of daily living due to a disability. As appropriate, the term "Disabled Patient" may include the Disabled Patient's legal representative. For example, if the Disabled Patient is incapable of designating Support Persons (due to an inability to communicate effectively or otherwise), then the legal representative may make these designations on the Disabled Patient's behalf.

**Support Care Conference:** A meeting in person, by telephone, or electronic media, that includes a representative from the Disabled Patient's hospital care team, the Disabled Patient, the Disabled Patient's legal representative (if applicable), and the Disabled Patient's designated Support Person. The support care conference must include discussion of denial and any parameters for permitting a support person to be physically present with the Disabled Patient, including, but not limited to, any limitations, restrictions, or additional precautions that may be implemented for the safety of the Disabled Patient, Support Person, and hospital staff.

**Support Person:** A family member, guardian, personal care assistant, or other paid or unpaid attendant selected by the Disabled Patient to physically or emotionally assist the Disabled Patient or ensure effective communication with the Disabled Patient.<sup>1</sup>

Please see the [Caregiver Handbook](#) for standard system terms.

## **POLICY:**

1. St. Charles shall allow each Disabled Patient to designate at least three (3) Support Persons, and to have at least one (1) Support Person present with the Disabled Patient at all times in the emergency department and during the Disabled Patient's stay at the hospital, if necessary to facilitate the Disabled Patient's care. In addition, and unless the Disabled Patient requests otherwise, St. Charles shall ensure a Support Person is present for any discussion in which the Disabled Patient is asked to elect hospice care or to sign an advance directive or other instrument allowing the withholding or withdrawing of life-sustaining procedures or artificially administered nutrition or hydration
2. At all times, the Support Persons will be subject to St. Charles' applicable policies and procedures, including but not limited to: infection control, patient and employee safety, and patient privacy.
3. St. Charles shall post a summary of this Policy at the entrances of each hospital, of Sage View, and each outpatient hospital department. The summary shall be clearly visible to the public and shall state that a copy of this Policy will be available upon request. For a copy of this posting please see [Hospital Support Persons ENGLISH- Flyer \(Spanish #10203\)](#) . A copy of this Policy in an alternative format can be obtained by contacting the St. Charles regulatory team: [policies@stcharleshealthcare.org](mailto:policies@stcharleshealthcare.org).
4. St. Charles shall make this Policy available online at <https://stcharleshealthcare.org/about-us/patient-rights>.
5. At the time hospital services are scheduled, or upon admission to the hospital, St. Charles shall inform all patients (whether or not they are or seem to be Disabled Patients) and/or their legal representatives orally and in writing of their right to appoint Support Persons. Additionally, St. Charles shall ask each patient and/or legal representative to complete and return the [Support Person Acknowledgment ENGLISH \(Spanish #10193\) - Form](#) .
6. At least three (3) Support Persons may be designated.<sup>2</sup> [Designation of Support Person\(s\) ENGLISH \(Spanish #10192\) - Form](#)
7. St. Charles shall allow at least one (1) Support Person to be present with the Disabled Patient at all times in the emergency department and during the Disabled Patient's stay at the hospital, subject to applicable restrictions described below. Support Persons are

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<sup>1</sup> Note: A Support Person is not automatically authorized to make healthcare decisions on the Disabled Patient's behalf. Instead, a Support Person shall make healthcare decisions for the Disabled Patient only if the Disabled Patient is unable to make or communicate healthcare decisions himself or herself, and the Support Person has also been designated as the Disabled Person's legal representative.

<sup>2</sup> Staff shall list the Disabled Patient's Support Persons by name in the demographic's section under contacts of Epic.

allowed to be present in operating rooms, procedure rooms, ICU, cancer center, and other areas where, generally, only patients and hospital staff are allowed. Note that, in appropriate circumstances and when acceptable to the Disabled Patient, St. Charles may allow a Support Person to be present virtually rather than physically.

- a. In hospital units and emergency departments where patient care is rendered in a congregate setting (e.g., behavioral health), the safety of other patients, as well as the confidentiality for those being served, will be considered.
  - b. To ensure the privacy and safety of all patients, support persons and caregivers in locked units with psychiatric populations, a clinical care conference will be held to determine the parameters of accommodation provided by the support person(s) for the patient.
8. St. Charles shall ensure that at least one (1) Support Person is present for any discussion in which the Disabled Patient is asked to elect hospice care or to sign an advanced directive or other instrument allowing for the withholding or withdrawing of life-sustaining procedures or artificially administered nutrition or hydration, unless the Disabled Patient requests to have the discussion outside of the presence of a Support Person.<sup>3</sup> The Support Person is subject to the applicable restrictions described below.
9. Support Persons must comply with existing St. Charles policies and procedures. St. Charles may also impose conditions to ensure the safety of patients, Support Person(s) and staff such as:
- a. Requiring a Support Person to:
    - i. Wear appropriate personal protective equipment<sup>4</sup>, follow hand washing, and other hospital protocols for preventing the potential spread of infection.
    - ii. Be free of any symptoms of a virus or contagious disease
    - iii. Submit to screenings for viruses or contagious diseases upon entering and exiting the hospital.
  - b. Limiting the number of Support Persons allowed to be present with the Disabled Patient at a time;

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<sup>3</sup> Before withdrawing or withholding life-sustaining procedures from patient who has intellectual or developmental disabilities—whether or not that patient has designed Support Persons—St. Charles shall contact Deschutes County Human Services in Bend or Redmond or BestCare Treatment Services in Prineville or Madras to determine if the patient has a case manager. If so, notice shall be provided to the case manager before the withdrawal or withholding of life-sustaining procedures.

<sup>4</sup> If a support person does not have appropriate personal protective equipment as determined by St. Charles, St. Charles will provide appropriate personal protective equipment to the Support Person.

- c. Limiting the total number of Support Persons allowed to be present with the Disabled Patient during the course of the day.
10. If a Support Person is removed from the hospital or restricted due to a failure or refusal to comply with St. Charles policies or procedures, then St. Charles shall take steps to ensure that the Disabled Patient's other Support Persons (if any) are informed of the right to be physically present with the Disabled Patient in the hospital (i.e., to replace the removed or restricted Support Person), subject again to their compliance with St. Charles policies and procedures.
  11. If, for reasons other than the Support Person's violation of applicable policies and procedures, St. Charles denies a Disabled Patient's request to be physically accompanied by a Support Person, then the administrator on duty or house supervisor shall immediately notify the Disabled Patient and the Support Person orally and in writing of the right to request a Support Care Conference. (See [Support Care Conference Patient Notification ENGLISH \(Spanish #10194\) - Form](#))
    - a. Upon request, the Support Care Conference shall be scheduled as soon as possible, but in all cases, within 24 hours after the Disabled Patient's admission to the hospital or 24 hours before a procedure or operation.
    - b. Following the Support Care Conference, St. Charles shall document the decision and any reasons for the limitation, restriction, additional precautions or prohibition in the treatment plan.
    - c. If a Support Care Conference does not occur, St. Charles shall document why it did not occur in the Disabled Patient's treatment plan.
  12. If it is determined or reasonably believed that a patient who has not designated Support Persons has a communication barrier or other disability, St. Charles shall take reasonable steps to remind or further to inform the patient and/or the patient's family or legal representative about the right to designate Support Persons.
  13. If a Disabled Patient has a concern about St. Charles' compliance with this policy, the Disabled Patient should be encouraged to address the concern directly with any St. Charles health care provider. St. Charles health care providers should help resolve the Disabled Patient's specific concern regarding access to a Support Person. If the concern cannot be resolved, a Disabled Patient may contact St. Charles Patient Experience Department directly at:  
  

St. Charles Health System, Inc.  
Attn: Patient Experience  
2500 NE Neff Road  
Bend, Oregon 97701  
Tel. No: (541) 706-6316  
E-mail: [patientexperience@stcharleshealthcare.org](mailto:patientexperience@stcharleshealthcare.org)
  14. Patients who have questions or concerns about their access to a Support Person may also contact Oregon Health Authority's Quality Improvement Division at (971) 673-0540.

OHA will evaluate each hospital's compliance with the requirements related to Support Persons.

**REFERENCE(S):**

ORS 441.049 and 127.635

Oregon Administrative Rules 333-505-0033 and 333-505-0050

Oregon Health Authority, "Patient Access to Support Persons While in the Hospital: Fact Sheet," (July 6, 2021).

[Hospital Support Persons ENGLISH- Flyer \(Spanish #10203\)](#)

[Support Person Acknowledgment ENGLISH \(Spanish #10193\) - Form](#)

[Support Person Acknowledgement SPANISH \(English #10174\) - Form](#)

[Designation of Support Person\(s\) ENGLISH \(Spanish #10192\) - Form](#)

[Designation of Support Person SPANISH \(English #9168\) - Form](#)

[Support Care Conference Patient Notification ENGLISH \(Spanish #10194\) - Form](#)

[Support Care Conference Patient Notification SPANISH \(English #10175\) - Form](#)