

**STATE OF CONNECTICUT  
DEPARTMENT OF MENTAL RETARDATION**

**Procedure No:** I.E.PR.007.b  
**Subject:** **Withdrawing or Withholding Medical Treatment**  
**Section:** Health and Safety

**Issue Date:** May 26, 2004  
**Effective Date:** upon release

**A. Purpose**

The purpose of this procedure is to assure that individuals receive medically-acceptable standards of care while respecting the individual's right to refuse medical treatment.

**B. Applicability**

This procedure shall apply to all individuals for whom the department bears direct or oversight responsibility for medical care. This includes people living in programs operated, licensed, and/or funded by the department, including non-Connecticut residents living in such facilities. It also applies to individuals receiving supported living services, respite services in DMR-operated or -funded facilities, and individuals living in facilities licensed by the Department of Public Health if the department was involved with the placement decision.

**C. Definitions**

Cardiopulmonary Resuscitation (CPR): An emergency procedure consisting of artificial and manual chest compressions performed in an attempt to revive a person who has gone into cardiac arrest (heart stops beating) and/or respiratory arrest (stops breathing).

End-of-Life Decisions: Decisions made by an individual or other legally-authorized person, to make medical decisions to withdraw or withhold medical treatment (e.g., withhold dialysis, chemotherapy, withdraw life support systems)

Life Support System: Any medical procedure or intervention which, when applied to an individual, would serve only to postpone the moment of death or maintain the individual in a state of permanent unconsciousness. In these circumstances, such procedures shall include, but are not limited to, mechanical or electronic devices including artificial means of providing nutrition or hydration. (CGS 19a-570 (1))

**D. Implementation**

1. The regional DMR health services director or training school medical director shall be notified immediately when end-of-life decisions that include withholding and/or withdrawing medical treatment are being considered by the individual, his or her family/guardian, physician and/or interdisciplinary team (IDT).
2. The DMR regional health services director or training school medical director shall review the health issues and discuss the pending decision(s) with the individual/family/guardian, physician, and the IDT. This review shall be conducted to assure the individual's right to receive medically-accepted treatment while respecting the person's right to refuse medical treatment if appropriate.
3. If the DMR health services director or training school medical director concurs with the decision to withhold and/or withdraw treatment and this decision will ultimately lead to the individual's death, the health service director shall assure that the DNR procedure is followed (DMR Procedure No. I.E.PR.007c, Withholding Cardiopulmonary Resuscitation).

4. If the DMR health services director or training school medical director has concerns about the propriety of the decision, he or she will consult with the individual/family/guardian, physician, and IDT to resolve those concerns and shall inform the central office director of health and clinical services.
5. The central office director of health and clinical services shall review the information, discuss the issues with the commissioner and the director of legal and government affairs as appropriate, and assist in resolving the situation.
6. The commissioner may take further informal or formal actions as necessary if the concerns regarding such decision cannot be resolved. These actions may include but are not limited to the following:
  - a. Request additional information if necessary
  - b. Discuss the circumstances, diagnoses and other pertinent information with the individual, family and/or guardian and physician(s)
  - c. Consult the department's Director of Legal and Government Affairs
  - d. Initiate formal action such as referral to probate or superior court, or other legal actions

## **E. References**

### State Statutes

CGS 17a-238, Rights of Persons with Mental Retardation

CGS 19a-570, Removal of Life Support Systems

### Rules, Regulations - DMR

DMR Client Rights

DMR Case Management policies and procedures

DMR Policy I.E.PO.007, [End of Life Decisions](#)

DMR Procedure I.E.PR.007a, [Advance Directives](#)

DMR Procedure I.E.PR.007c, [Withholding Cardiopulmonary Resuscitation](#)