

MOLST Policy and Procedures

In accordance with Public Act 17-70, and until such time regulations are developed, the Commissioner of Public Health shall implement the following policies and procedures as regulation:

Department of Public Health Policy and Procedure No. 15-02

1. 19a-580h-1. Definitions. As used in sections 1 through 6
 - (a) “Commissioner” means the Commissioner of the State of Connecticut Department of Public Health.
 - (b) “Department” means the State of Connecticut Department of Public Health.
 - (c) “Eligible patient” is a patient who a physician or advanced practice registered nurse has determined is approaching the end stage of a serious, life-limiting illness or is in a condition of advanced, chronic progressive frailty.
 - (d) “Eligible provider” is a health care provider that is identified in the definition of the Medical order for life-sustaining treatment definition in section 19a-580h of the Connecticut General Statutes.
 - (e) “Legally authorized representative” has the same meaning as provided in section 19a-580h of the Connecticut General Statutes.
 - (f) “Health care provider” has the same meaning as provided in section 19a-580h of the Connecticut General Statutes.
 - (g) “Medical order for life-sustaining treatment” or “MOLST” has the same meaning as provided in section 19a-580h of the Connecticut General Statutes.
 - (h) “MOLST discussions” are, in general, conversations between a patient and a patient’s physician, advanced practice registered nurse or physician assistant to inform the patient about MOLST and the patient’s options regarding the MOLST. More specific requirements regarding the MOLST discussions are set forth in these regulations.
 - (i) “MOLST form” is the Department approved MOLST form.
 - (j) “MOLST program” or the “Program” is the program implemented under section 19a-580h of the Connecticut General Statutes.
 - (k) “Regulations” means sections 19a-580h-1 through 19a-580h-6, inclusive, of the Regulations of Connecticut State Agencies.
 - (l) “Valid MOLST” is an original, executed, lime green MOLST that complies with section 19a-580h of the Connecticut General Statutes and the Regulations.
2. 19a-580h-2. Health care provider requirements.
 - (a) An eligible provider that intends to write a MOLST must complete a Department approved training module before writing a MOLST.
 - (b) Only an eligible provider that has completed such training may write a MOLST.

3. 19a-580h-3. MOLST Discussions

- (a) Discussions with a patient or a patient's legally authorized representative regarding a patient's condition, treatment options, ability to participate in the Program and the MOLST form shall be conducted in the patient's or the patient's legally authorized representative's preferred language.
- (b) If an interpreter is required to comply with these requirements, the health care provider conducting the MOLST discussions with the patient shall ensure that the interpreter can understand and speak English and the other language and that the interpreter will interpret accurately using the interpreter's best skill and judgment.
- (c) All MOLST discussions shall comply with all generally accepted practices regarding such discussions and all appropriate standards of care and scopes of practice.
- (d) Before an eligible provider signs a MOLST form, the eligible provider shall (1) ensure that the patient's participation in the program is voluntary; and (2) discuss with the patient or the patient's legally authorized representative the patient's goals for care and treatment and the benefits and risks of various methods of documenting the patient's wishes for end-of-life treatment, including MOLST.
- (e) The health care provider shall immediately return the executed MOLST form to the patient and shall immediately place a copy of it in the patient's medical record.
- (f) The Department may review all MOLST form copies.

4. 19a-580h-4. The MOLST Form

- (a) Program participants shall only use the Department approved MOLST form.
- (b) An executed MOLST form may not be amended other than as expressly stated on the MOLST form.
- (c) A MOLST form that is incomplete, or improperly completed or amended is invalid.
- (d) A health care provider shall immediately return an executed valid MOLST form to the eligible patient unless the eligible patient is at such provider's facility receiving care or is being transported by such provider.
- (e) The health care provider's signature on the MOLST form is the health care professional's certification of compliance with section 19a-580h of the Connecticut General Statutes and the Regulations.
- (f) The witness's signature on the MOLST form shall constitute an attestation of the authenticity of the patient's and health care provider's signature.

5. 19a-580h-5. MOLST Form Recognition

- (a) To facilitate transferability among health care settings, an eligible patient shall keep the MOLST with the eligible patient. While at home, the eligible patient shall keep the MOLST on the refrigerator.
- (b) If the eligible patient resides in a residential care, group or hospice home, or skilled nursing facility or is an in-patient at a hospital or other medical facility or institution, the eligible patient's MOLST form can be placed in the location that such facility requests while there, provided that the facility has advised health care providers who may come to its facility of its protocol for storage and access to MOLST forms for patients at such facility.
- (c) A health care provider shall check the locations described in subsections (a) and (b) for a valid MOLST.
- (d) A health care provider shall follow the instructions on a valid MOLST.
- (e) A valid MOLST shall be transferrable among and recognized by each health care provider in Connecticut.
- (f) A health care provider shall retain the valid MOLST while the corresponding patient is in the health care provider's facility and return it to the patient, if appropriate, or transfer it to the next health care provider that takes over patient care.

6. 19a-580h-6. Scope of Practice and Standard of Care.

- (a) Nothing in these regulations shall be deemed to amend the scope of practice of any health care provider or otherwise permit a health care provider to participate in the MOLST or conduct any MOLST activities if such participation or conduct is not within the scope of practice for such health care provider's corresponding regulated profession.
- (b) Nothing in these regulations shall be deemed to amend the standard of care for any health care provider.

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