



Title: Support Person for Patients with Disabilities	BAH ID:
Start Date: 11/17/2023	Approval/Reviewed Date: 12/xx/2023

**Policy:**

Patients identified with any of the below listed disabilities will be advised of their right to designate up to three support persons and have at least one support person physically present with them at all times in the Emergency Department and while admitted to the hospital. This includes, but is not limited to, an operating room, a procedure room, or other area where generally only patients and hospital staff are allowed.

Either the patient or a patient’s legal representative in collaboration with the patient, may designate support persons. The name and contact information for each support person will be documented in the medical record.

**Definitions:**

**Patient:** A patient admitted to a hospital or seeking medical evaluation and care in an emergency department who needs assistance to effectively communicate with hospital staff, make health care decisions, understand health care decisions, or engage in activities of daily living due to a disability which may include.

- A physical, intellectual, behavioral or cognitive impairment, e.g.,
  - Has a cognitive or mental health disability that affects the patient’s ability to make medical decisions or understand medical advice; and
  - Needs assistance with activities of daily living and the hospital staff are unable to provide or less effective at providing the assistance.
- Deaf, deafblind, hard of hearing or has another type of communication barrier and may require the assistance of a support person to ensure effective communication (that does not include interpretation or translation) with hospital staff.
- Blind;
- Autism;
- Dementia
- Has behavioral health needs that the support person can address more effectively than hospital staff.

**Support Care Conference:** A meeting that must include discussion of the hospital’s denial of a patient’s request for a support person’s physical presence with the patient (or a portion of such a request), and any parameters for permitting a support person to be physically present with the patient. The support care conference can be held in person, by telephone, or electronic media, and includes the following participants:

- The patient
- A representative from the patient’s hospital care team.



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- The patient’s designated support person(s)
- The patient’s legal representative (if applicable)

**Support Person:** A family member/significant other, guardian, personal care assistant or other paid or unpaid attendant selected by the patient to physically or emotionally assist the patient or ensure effective communication with the patient.

**Visitor:** Visitors to Patients.

**Objective:**

Provide the opportunity for a patient to have a support person, when appropriate, while maintaining patient safety and comfort.

Provide guidelines for the role of support persons and support care conferences within Bay Area Hospital (BAH).

Promote the safety of patients, visitors, support persons and caregivers by defining the conditions under which a support person will function.

**Procedure:**

- A. Bay Area Hospital (BAH) will not condition the provision of treatment on a patient having a POLST, advanced directive or any instruction relating to the administration, withholding or withdrawing of life sustaining procedures or artificially administered nutrition and hydration. BAH will not suggest or communicate to any individual that admission or treatment is conditioned upon the individual’s having a POLST, an advanced directive or any instruction relating to the administration, withholding or withdrawing of life-sustaining treatment
- B. BAH may impose conditions for any support person(s) present to ensure the safety of the patient, support person(s) and staff.
- C. To ensure the safety of the patient, support persons and caregivers, support persons may not perform tasks otherwise done by a hospital employee and must comply with the conditions outlined below. (Conditions to Protect Safety)

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- D. Support persons may not provide interpreter or translation services. (See [ADM 0406 PATIENT COMMUNICATION – INTERPRETATION AND TRANSLATION SERVICES](#))
- E. At the earliest feasible time, BAH will provide all patients orally and in writing notice of their right to support persons.
- a. Notice to patients must include that treatment cannot be conditioned upon having an advance directive, POLST, or an order withdrawing or withholding life support such as a Do Not Resuscitate order.
  - b. Notice will inform the patient that they have the right to appoint up to three support persons and that one of those support persons may be physically present with them at all times in the Emergency Department and during the patients' stay at the hospital if necessary to facilitate the patient's care.
  - c. Notice must be made available in alternate formats at the request of the patient or the patient's legal representative.
- F. 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.
- G. In cases where the physical presence of a support person(s) must be denied to protect the safety of the patient, support person(s), and staff, the patient must be immediately notified verbally and in writing of the opportunity to request a support care conference.
1. Refer to sections below: Denial of Support Person, Support Care Conference and Documentation of Support Care Conference.
    - a. Refer to Addendum A: Denial of Access for additional requirements and Addendum B: Support Persons Denial Letter.

### **Conditions to Protect Safety:**

- A. Support persons may not perform tasks otherwise done by a hospital employee and must comply with the following conditions:
1. When requested by hospital employees, support persons must wear personal protective equipment provided by the hospital and follow hand washing and other protocols for preventing the potential spread of infection.
  2. Be free of any symptoms of viruses or contagious diseases;
    - i. Submit to screening for viruses or contagious diseases upon entering and exiting the hospital;

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- ii. Submit to testing for contagious disease per unit policy
  3. May not dispense medications of any kind without consultation with the patients' clinical care team;
  4. May not make changes to medical devices or technology that supports patients care, including but not limited to oxygen.
  5. May not provide interpreter or translation services.
- B. If necessary to facilitate the patient's care, support person(s) may be present with the patient at all times in the emergency department and during the patient's stay at the hospital. BAH retains the right to restrict the presence of support persons to what is feasible and need to maintain the safety of the patient, Support Person(s), and caregivers.
- C. Nothing in this section prevents a patient and his or her treating team from reviewing available medical options in the privacy of the therapeutic relationship. This includes situations where a patient with decision-making capacity informs his or her treating provider that less aggressive medical care is desired. If the patient requests the support person not be present for these conversations it must be documented in the medical record.
- D. Unless a patient requests otherwise, the emergency department must ensure that a qualified patient understands their right to have a support person physically present **at all times**. The hospital must ensure that a support person designated by a patient, or a patient's legal representative, is physically present for all discussion in which the patient is asked to elect hospice care, sign an advance directive, or sign any or other document allowing the withholding of withdrawing of life-sustaining procedures or artificially administered nutrition or hydration. The presence of the support person will be documented in the medical record. If there are question about who the appropriate decision maker is, please refer to BAH "[ADM 0436 CONSENT – INFORMED](#)" Policy.

### **Denial of Support Person**

Refer to Addendum A: Denial of Access for additional details.

- A. The hospital and/or emergency department may impose conditions of the physical presence of any support person(s) to ensure the safety of the patient, support person (s) and staff.
1. In addition, 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.

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- B. If the hospital denies a patient's request for a support person's physical presence, or a portion of such a request, for any duration, to protect the patient, support person(s), and staff the following must occur.
1. Notify the House Supervisor immediately.
  2. The House Supervisor will immediately notify the patient and the patient's designated support person(s) orally and in writing of the opportunity to request a support care conference to discuss the denial and any parameters for permitting a support person to be physically present.
    - a. For written notification of denial, provide copy of Addendum B: Support Persons Denial Letter.
  3. Documentation
    - a. Document in the treatment plan the oral and written notification to the patient and support person(s), and the patient and support person(s) response, whether it be a request or declination for a support care conference.

### **Support Care Conference**

- A. Upon request for a support care conference, conduct a support care conference as soon as possible but no later than 24 hours after admission or prior to a procedure or operation.
- B. Participants must include the patient, a representative from the patient's hospital care team, the patient's legal representative (if applicable), and the patient's designated support person(s).
- C. Support care conferences can be held in person, by phone, or electronic media (for example, Zoom, Teams).
- D. Content must include:
1. Discussion of denial; and
  2. Any parameters for permitting a support person to be physically present with the patient, which may include any limitations, restrictions, or additional precautions that may be implemented for the safety of the patient, support person, and hospital staff.

### **Documentation of Support Care Conference**

- A. Following a support care conference, the hospital shall document the decision and any reasons for the limitation, restriction, additional precautions or prohibition in the treatment plan.



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- B. If a support care conference does not occur, the hospital shall document in the treatment plan why the support care conference did not occur.

### Notification and Communication of Policy-

- A. All qualified patients or their legal representatives will be notified orally and in writing of their right to designate up to three support persons.
- B. A copy of this policy will be made available to anyone who requests a copy and will be made available in alternative formats. For a copy of this policy in an alternative format, please contact Case Management at (PHONE NUMBER)
- C. A summary of this policy will be posted at each entrance where patients may enter the hospital. Instructions for getting a copy of the full policy will be included in this summary.
- D. A summary of this policy as well as a link to the complete policy will be made available on the BAH website.

### References:

[ADM 0406 PATIENT COMMUNICATION – INTERPRETATION AND TRANSLATION SERVICES](#)

[ADM 0436 CONSENT – INFORMED](#)

[Support Person Flyer \(English\) – Updated 9/22/21](#)

[Patient Access to Support Persons While in the Hospital – Fact Sheet from OHA](#)

[SB 1606 Full Text](#)

### Translations

Arabic

<https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/la3847.pdf>



BAY AREA HOSPITAL  
Policies and Procedures

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Russian

<https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/lr3847.pdf>

Traditional Chinese

<https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/l43847.pdf>

Chuukese

<https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/l273847.pdf>

Marshallese

<https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/l333847.pdf>

Somali

<https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/li3847.pdf>

Korean

<https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/lk3847.pdf>

Simplified Chinese

<https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/lh3847.pdf>

Portuguese

<https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/lp3847.pdf>

Spanish

<https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/l3847.pdf>

Vietnamese

<https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/lv3847.pdf>