



McLean County Area EMS System

705 N East Street
Bloomington, IL 61701

Phone: (309) 827-4348
Fax: (309) 827-2017

MEMORANDUM

To: Transporting Agencies

From: Dylan Ferguson, Paramedic, B.S., L.I.
Director

Date: 11/14/2016

Subject: Patient Refusal Clarification

We have been inundated with questions as it pertains to refusals recently, and I wanted to take the time to provide some information as it pertains to refusals. The primary question we have been receiving is what constitutes someone being a patient. The EMS System Patient Right of Refusal Policy defines a patient as

“A person for whom EMS was activated, that has suffered some form of mechanism and/or verbalizes a complaint, and the EMS provider establishes verbal and/or physical contact.”

With the advent of cell phones and the increased number of requests for emergency medical care by individuals other than the patient themselves; the system several years ago revised the patient refusal policy to add this section

“False calls or other third party calls where the person states that they did not call for EMS assistance, the EMS provider does not need to obtain a written refusal. An EMS report still needs to be completed by the EMS provider for the emergency response.”

This language has been taken recently as lacking specificity and clarification has been requested by multiple system agencies. The third-party rule was put into place to address situations in which passerby's activate the 911 system, without assessing the situation which is often the case with traffic accidents. Other situations where the third-party rule would be accidental activations of a medical alert device, and EMS is summoned by the monitoring company.

According to the International Academy for Emergency Dispatch, a third-party caller is an individual who is not with the patient, but rather is reporting from some distance away, and is not personally in contact with the patient when the call is placed.

A second-party caller is a person calling for emergency medical help who is in direct personal contact with the patient.



McLean County Area EMS System

705 N East Street
Bloomington, IL 61701

Phone: (309) 827-4348
Fax: (309) 827-2017

If EMS responds to a situation where they were summoned by a **third-party caller as defined above** and they do not locate an individual verbalizing a complaint, then and only then may they clear the call without documenting a patient refusal.

If there is ever any doubt, an individual should be deemed a patient and an appropriate evaluation should take place.

Anytime that an evaluation, assessment, or treatment takes place the patient must either be transported or a patient refusal must be completed as the EMS provider has established a patient/provider relationship.

An additional clarification that has been requested involved what constitutes a lift assist/public assist call. The Patient Right of Refusal Policy states:

“Calls for assistance for transfer, where no mechanism of injury exists, the EMS provider does not need to obtain a written refusal (e.g. transfer from chair to bed, transfer from car to home). An EMS report still needs to be completed by the EMS provider for the emergency response.

This was implemented for true lift assists where no mechanism of injury exists. A common inquiry is what about a patient who *falls* getting into or getting out of bed. At face value this is a mechanism of injury and a patient assessment and refusal of service should be completed.

The system has established this as the minimum standard in regards to obtaining patient refusals. There is nothing that shall limit an EMS agency from adopting a policy that is more stringent than what has been prescribed here or in the Patient Right of Refusal Policy.

The third-party rule and the lift assist rule were established to address specific issues. EMS providers should not attempt to expand the scope of those exemptions out of convenience.