



POLICY AND PROCEDURE

Section: Medical Staff	Manual: Administration Policy No.: 1.09 Approved By: Vice President Academic Affairs
Subject: NON-BENEFICIAL TREATMENT	Effective Date: 5/02 Revision Date: Review Date: 6/07
Cross References Administration 2.21	

POLICY:

A physician of the CPMC Medical Staff is not obligated to provide a patient with medical treatment that, in the physician's best judgment, will not be beneficial. Disagreements concerning this issue between doctors, patients, surrogates, nurses and other health care personnel will be addressed in the following manner:

- 1) Preempt conflict. Attempt to promote understanding among the involved parties in advance.
- 2) Negotiate solutions to disagreements.
- 3) If disagreement persists, seek consultation from another physician.
- 4) If the consulting physician disagrees with the primary physician, consider transfer of care to another physician.
- 5) If both physicians agree, but there is still disagreement with the patient or surrogate, request consultation from the hospital ethics committee.
- 6) If the ethics committee review disagrees with the recommendation of the two physicians, transfer of the patient to another physician or institution should be arranged. Until such transfer can occur, the current physician remains ethically and legally responsible for the care of the patient.
- 7) If the ethics committee review concurs with the opinion of the primary physician and consultant, *CPMC legal council should be informed of the situation*, and the patient or surrogate should be offered transfer to another physician, another institution or the ability to seek a judicial mandate to continue treatment.
- 8) If transfer or a judicial mandate is not possible, within a reasonable period of time, the treatment in question may be withheld or withdrawn.