

## Nevada POLST FAQs – Extended Version

- **Where do we get POLST forms?**  
By law the POLST form is a standardized form (NRS 449.694.1) that is hot pink. Forms may be [ordered](#) from the State’s Nevada Division of Public and Behavioral Health.
- **Who should have a POLST?**  
POLST is intended for those near the end of a life-limiting illness or the very frail elderly.
- **What provider can sign a POLST?**  
July 1, 2017, physicians, advance practice registered nurses (APRNs) and physician assistants (PAs) may legally sign a POLST form.
- **Does the patient’s physician, APRN or PA have to actually see the patient to complete a POLST form?**  
Yes. In best practice and to be reimbursed for a POLST Advance Care Planning visit, “the face-to-face services described by the codes need to be furnished in-person in order to be reported to Medicare ([Medicare Program; Revisions to Payment Policies under the Physician Fee Schedule](#)) by the patient’s physician, APRN or PA.
- **May a POLST be completed for someone lacking decisional capacity?**  
Yes. When it is determined by their health care provider that a patient lacks decisional capacity, a patient’s Durable Power of Attorney for Health Care (DPOA-HC), a legal guardian or the parent of a minor may complete a POLST for a patient.  
If the patient does not have a DPOA-HC or guardian, then others, call surrogates, may complete a POLST for the patient, in the following order of authority:
  - The spouse of the patient
  - The adult children of a patient
  - Parents of the patient
  - Adult siblings of the patient
  - Other relatives by blood or adoption (by blood or adoption only)

*Authority is granted in the order as listed above. If there is disagreement between a group (say 4 children who are evenly divided), it does not mean that the next group has authority. It means the disagreeing group needs to come to a majority decision.*
- If none of the above are available or willing to speak for the patient, then an adult who has exhibited special care or concern for the patient, is familiar with the values of the patient and is willing and able to make health care decisions in the best interests of the patient, may be an authorized decision-maker.
- **Who is able to revoke a POLST?**  
A POLST may be revoked by the patient him or herself, their DPOA-HC, guardian or parent of a minor. However, a [surrogate](#) may only revoke a POLST which they themselves have completed, not a POLST completed by a patient or their [representative](#).
- **May a patient who previously had capacity (but subsequently loses capacity with a significant change of health status) have a new POLST completed?**  
Yes. In addition to the persons mentioned in “May a POLST be completed for someone lacking decisional capacity?” above, Nevada law allows that “A physician, advance practice registered nurse or physician assistant may medically evaluate the patient and, based upon the evaluation, may recommend new orders consistent with the most current information available about the patient’s health status and goals of care. Before making a modification to a valid POLST form, the physician, APRN or PA shall consult the patient or, if the patient lacks decisional capacity, shall make a reasonable attempt to consult the [representative](#) [italics added] of the patient and the patient’s attending physician”. (NRS 449.695.2.)

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- **Is a copy of a Nevada POLST form valid?**  
Yes. A copy, fax or electronic version of a POLST is valid as long all the appropriate people and providers have signed and dated Section E.
- **Is a doctor's signature enough?**  
No. To be valid, the Nevada POLST form must be signed and dated by both the patient's physician, APRN or PA and the patient or other [representative](#) or [surrogate](#) of the patient. Remember, a patient may eventually have multiple POLST forms, or a POLST that doesn't agree with their Advance Directive. It will be imperative to know which document is the most recent, as the most recent document will prevail.
- **Does the form expire?**  
No. The Nevada POLST form does not expire, but should be reviewed with the patient or, if the patient lacks decisional capacity, their [representative](#) or [surrogate](#), if there is a change of health status, they are transferred or preferences change.
- **Can a provider refuse to comply with a POLST?**  
If a provider feels they cannot comply with the medical orders of the POLST, they must transfer the patient to the care of a provider who is willing to comply.
- **Can the POLST be mandatory?**  
NO. The POLST is ALWAYS voluntary. It may be offered, but not required as a condition of admission or treatment.
- **Does Nevada honor a POLST from other another state?**  
Yes. Providers in Nevada may honor the POLST form from other states. However, be aware that the form may look somewhat different (different color, slightly different sections) and have a different, but similar name (MOLST, COLST, MOST, etc.). If the patient is to stay in Nevada for an extended period, they should be strongly encouraged to complete a Nevada POLST.
- **Do other states honor Nevada POLST?**  
This varies state-to-state, but a POLST should always accompany a patient traveling or being transferred to another state as it may provide valuable information that could assist in patient treatment decisions by other providers. If the patient is to stay in another state for an extended period, they should be strongly encouraged to complete a POLST for that state.

Should you have additional questions or concerns, please contact Nevada POLST at <mailto:info@nevadapolst.org>.