

POLST Program Legislative Comparison - as of 4/1/2018

	Alabama	Alaska	Arizona	Arkansas	California ☼	Colorado ☼	Connecticut	Delaware	Dist. Of Columbia	Florida
1	Terminology None.	None.	None.	Physician Orders for Life-Sustaining Treatment (POLST)	Physician Orders for Life-Sustaining Treatment (POLST)	Medical Orders for Scope of Treatment (MOST)	Medical Orders for Life-Sustaining Treatment (MOLST)	Medical Orders for Scope of Treatment (MOST)	Medical Orders for Scope of Treatment (MOST)	Physician Orders for Life-Sustaining Treatment (POLST). [see form]
2	Placement in the state code			2017 Arkansas Laws Act 504 (S.B. 356), effective July 31, 2017, enacts a new code subchapter, titled the "Arkansas Physician Order for Life-Sustaining Treatment Act" at Ark. Code Ann §§ 20-6-201 to -212	2008 Cal. Legis. Serv. Ch. 266 (A.B. 3000), eff. Jan. 2008, amends Cal. Probate Code §§4780 – 4788 (part of the state Health Care Decisions Statute).	Colo. Rev. St. Ann. §15-18.7 -101 to -110. A separate Article titled "Directives Concerning Medical Orders for Scope of Treatment." Approved May 26, 2010.	Conn. Gen. Stat. §§ 19a-580h & 19a-580i (2017). Effective October 1, 2017.	16 Del.C. §§ 2501a-2520a (Chapter 25A: Delaware Medical Orders for Scope of Treatment Act, "DMOST Act" under Regulatory Provisions Concerning Public Health), effective no later than May 28, 2016	DC ST §§ 21-2221.01-2221.15, effective Feb. 27, 2016 (under Health-Care Decision of Decedents' Estates and Fiduciary Relations)	
3	Regulations/Guidelines			None.	15 Calif. Code Reg. § 3351 (Inmate Refusal of Treatment) 22 Calif. Code Reg. § 100155 (Required Course Content for Paramedics)	None.	MOLST Policy and Procedures (interim until regulations are developed) at: http://portal.ct.gov/-/media/Department-s-and-Agencies/DPH/dph/MOLST/040318-MOLST-Policy-Proced.pdf?la=en	16 Del. Admin. Code 4304-1.0 to 14.0 (DMOST) 2016 DE REG TEXT 421434, final regulations, eff. April 11, 2016	None.	
4	Entity responsible for development / approval of POLST			State Board of Health	Emergency Medical Services Authority~§4780(a)(2)(B)	Colorado Advance Directives Consortium.	The Commissioner of Public Health, §19A-580h(b) and (e).	Department of Health and Social Services §§ 2503a, 2505a	Department of Health. §§ 21-2221.02	
5	Provider signature required			Physician of the patient § 20-6-204.	Physician, Nurse Practitioner or Physician Assistant under supervision of physician~§4780(c)	Physician, Nurse Practitioner, Physician Assistant~§ 15-18.7-103	Physician, Advanced Practice Registered Nurse, Physician Assistant, §19a-580h(a)(1)	Health-care practitioner - § 2509a	Authorized Health Care Professional (Licensed Physician, Advanced Practice Nurse). §§ 21-2221.04(a)(2)	Yes [see form] Only authorized health care professional that is treating the patient can complete the patient's MOST form. § 21-2221.05(b)(1)

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6 Patient signature required?				Patient or legal representative of the patient. §20-6-204(a)(1)	Yes~§4780(c)	Yes. ~§ 15-18.7-103	Yes, §19a-580(h)(b) & (c).	Yes, § 2509a	Yes, §§ 21-2221.04(a)(4)	
7 Surrogate signature permitted? (Agent/Default Surrogate/Guardian)				Yes. §20-6-204(a)(1)	Yes~§4780(b) & ©	Yes. ~§ 15-18.7-103	Yes, limited to parent of a minor, guardian, or an appointed health care representative, §19a-580(h)(a) & (b)	Yes, § 2509a	Yes, § 21-2221.04(a)(4)	
8 Applicable to minors				Not addressed	Yes, case law authority	No.	Yes, §19a-580(h)(a)(3)	Not addressed	Yes, § 21-2221.01(3), (13)	
9 Patient Limitations				Only those patients "with a serious illness or medical frailty when a physician would not be surprised if the patient died within one year." §20-6-202(6)	None	None	None.	Physician must determine whether patient lacks decision-making capacity in order for authorized representative to make DMOST form. § 2518a Patient is with serious illness or frailty whose health care practitioner would not be surprised if patient died within next year. [see form]	Patient must be age 18+ to execute MOST form. § 21-2221.05(c)(1)(A)	Medical orders must be based on patient's current medical condition/preferences [see form]
10 Other execution requirements?				No. Form provided but may be revised consistent with the intent of the Act.	No Form has box to identify health Care professional assisting in preparation.	No.	One witness required, §19a-580(h)(c).	Statement that patient has been provided with plain language statement explaining DMOST form and its consequences; must meet other requirements established in Chapter 25A. § 2509a	After execution, hard copy must be provided to patient or patient's authorized representative. § 21-2221.04(b) Executed MOST form must be kept in prominent manner in patient's printed or electronic medical records. § 21-2221.04(b)	

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1 1 Exclusive DNR form?				No	No, §4780(a)(2) & (e)	No.	.No	No.	No	
1 2 Immunity provided?				Yes. § 20-6-208	Yes, § 4782	Yes.	Yes, §19a-571	Yes, § 2515a	Not addressed	
1 3 Duty to offer POLST?				Not addressed.	No	Not addressed. ~	Not addressed.	No.	No	
1 4 Duty to comply?				Yes, with exceptions §20-6-205(c)(1)(2)	Yes, with limited exceptions, §4781.2(a)	Yes.~§ 15-18.7-104	Not addressed	Obligation to treat, except as otherwise provided in other sections of Chapter 25A. § 2508a	Not addressed	
1 5 Original vs. Copies/faxes ?				Yes, copies have same validity. §20-6-212	Original pink. Copies are valid. [see form]	On Wausau Astrobright Vulcan Green. Copies valid. [see form]	Not clear. Requires only that a copy be placed in the medical record. §19a-580(h)(c)	Yes, § 2520a	Yes, §§ 21-2221.04(d)	Use of original is strongly encouraged. Copies are legal and valid. [see form]
1 6 Conflicts with AD addressed?				Most recently executed shall take precedence. §20-6-207 (b)(1).	Most recent controls, §4781.4	Most recently executed shall take precedence. §15-18.7-110(2)	Not addressed	Scope of treatment is governed by latest directive available, § 2513a	Yes, more recent document executed shall govern. § 21-2221.10	
1 7 Presumption if section of form left blank				Form requires full treatment for any section not completed.	Full treatment [see form]	Full treatment [see form]	Not addressed	Full treatment [see form]	Not addressed	Full treatment [see form]

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	Alabama	Alaska	Arizona	Arkansas	California ☼	Colorado ☼	Connecticut	Delaware	Dist. Of Columbia	Florida
18 Out-of-state POLST recognized?				Not addressed	Not addressed	Yes. § 15-18.7-107(1)(l)	Not addressed	Yes, § 2510a	Yes, § 21-2221.09	
19 Web page for additional resources				https://www.health.arkansas.gov/programs-services/topics/health-care-decision-	Coalition for Compassionate Care of California: www.capolst.org	http://www.coloradoadvancedirectives.com	http://portal.ct.gov/DPH/Medical-Orders-for-Life-Sustaining-Treatment-	http://delawaremost.org/	None	http://med.fsu.edu/?page=innovativeCollaboration.POLST
20 Electronic POLST & Registry					California POLST eRegistry Pilot Act - §4788 (in effect until Jan. 1, 2020)			Delaware Health Information Network (DHIN) § 2507a	Department of Health will conduct study regarding feasibility of electronic registry. Must determine feasibility within 180 days of effective date (Feb. 27, 2016). § 21-2221.14	
21 Additional Notes				Law was enacted March 15, 2017			Statute requires training of health care professionals prior to their writing a MOLST order. §19a-580h(c) ----- Establishes MOLST Advisory Council to make recommendations to the commissioner of Public Health concerning MOLST requirements. §19a-580i.	Always provide comfort care measures, regardless of level of treatment chosen. [see form]	Certain comfort care procedures will be provided, regardless of treatment orders on MOST form. § 21-2221.08 Execution of MOST form does not alter insurance policies. § 21-2221.13	

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	Georgia ☼	Hawaii ☼	Idaho ☼	Illinois	Indiana ☼	Iowa ☼	Kansas☼	Kentucky
1	Terminology Physician Orders for Life-Sustaining Treatment (POLST)	Physicians Orders for Life-Sustaining Treatment (POLST)	Physician Orders for Scope of Treatment (POST)	Physician Orders for Life Sustaining Treatment (POLST) Paradigm Program	Physician Order for Scope of Treatment (POST)	Iowa Physician Orders for Scope of Treatment (IPOST)	No legislation See:https://www.practicalbioethics.org/programs/transportable-physician-orders-for-patient-preferences	Medical Orders for Scope of Treatment (MOST)
2	Placement in the state code	Ga. Code Ann. § 31-1-14	Haw. Rev. Stat. § 327K-1 thru K-4 to the state's health code, enacted July 15, 2009.	Idaho Code Ann § 39-4501 to -4515, specifically § 39-4512A ~ Enacted 2007. ~ Eff. July 1, 2007. Part of comprehensive "Medical Consent and Natural Death Act." Last Amend July 1, 2012.	20 ILCS § 2310-600(b-5) revising the Illinois Department of Public Health's (IDPH) Uniform DNR Advance Directive. Eff. Jan. 1, 2012. 755 ILCS 40/65, "Department of Public Health POLST form" (Part of the Uniform Scope of Practice Act)	Ind. Code Ann. §§ 16-36-6-1 - -20. Approved May 7, 2013.	Iowa Code Ann. §§ 144D.1 – 4 Added by Acts 2012 (84 G.A.) ch. 1008, H.F. 2165, § 5. Amended by Acts 2012 (84 G.A.) ch. 1133, S.F. 2336, § 95.	KRS 311.6225 (under Kentucky Living Will Directives Act)
3	Regulations/Guidelines	Ga Comp. R. & Regs. 111-8-37-.16 (Home Care) Ga Comp. R. & Regs. 111-8-63-.24 (Residents' Files - Assisted Living Communities) Ga Comp. R. & Regs. 111-8-62-.24 (Resident Files - Personal Care Homes)	None.	Guidelines published by the EMS Bureau, Idaho Department of Health and Welfare: http://healthandwelfare.idaho.gov/Medical/EmergencyMedicalServices/PhysicianCommission/PhysicianOrdersforScopeofTreatmentPOST/tabid/807/Default.aspx	The POLST Illinois Task Force developed a guidance document (August 2013) 77 Ill. Adm. Code 395.300 (Basic Nursing Assistant Training Program)	IN ST 16-36-6-1 Created as part of the Patient Autonomy in Health Care Decisions Pilot project created pursuant to 2008 Iowa Acts, chapter 1188, section 36, as amended by 2010 Iowa Acts, chapter 1192, section 58, as amended by 2010 Iowa Acts, chapter 1192, section 58. Eff. July 1, 2013. Iowa Admin. Code 641.445.1(1) - 445.2(1)	201 Ky. Admin. Regs. 9:470 (Standardized Medical Order for Scope of Treatment Form)	
4	Entity responsible for development / approval of POLST	Department of Public Health [see form]	Department of Health, § 327K-1	Idaho Department of Health and Welfare, § 39-4512A(6)	Illinois Department of Public Health. 20 ILCS § 2310-600.	Indiana State Department of Health, §16-36-69 See: http://www.in.gov/isdh/25880.htm.	Iowa Department of Public Health. See: www.idph.state.ia.us/hcr_committees/common/pdf/patient_autonomy_pilot/patient_autonomy_pilot_report.pdf	Kentucky Board of Medical Licensure. KRS 311.6225(2)
5	Provider signature required	Yes, § 31-1-14(c)(2)	Physician, Advanced practice registered nurse, § 327K-1 and K-2	Physician, Advanced practice professional nurse, or Physician Assistant. § 39-4512A(1)	Attending Practitioner (physician, licensed residence, advanced registered nurse, or physician assistant). IL St. Ch. 755 § 40/65. Also, [see form]	Physician, § 16-36-6-8(a)	Yes. Physician, Advanced Registered Nurse Practitioner, and Physician Assistant, I.C.A. § 144.D.2(1)(c).	Patient's physician, health care professional preparing the form. KRS 311.6225(1)(f)

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6 Patient signature required?	Yes, § 31-1-14(c)(2)	Yes, § 327K-1 and K-2	Patient or surrogate signature required. § 39-4512A(1)	Yes. [see form]	Yes. § 16-36-6-8(b)(2)	Yes, I.C.A. § 144.D.2(1)(b)	Patient or recognized decision maker.	Yes, KRS 311.6225(1)(f)
7 Surrogate signature permitted? (Agent/Default Surrogate/Guardian)	Yes, § 31-1-14(c)(2)	Yes. § 327K-1 and K-2	Yes, § 39-4504.	Yes. [see form]	Yes, a representative of the qualified person may sign. § 16-36-6-7	Yes, I.C.A. § 144.D.2(1)(b)	Yes.	Yes, KRS 311.6225(1)(f)
8 Applicable to minors	Not addressed	Yes.	Yes, § 39-4504	Not addressed.	Yes. § 16-36-6-7	No		Yes. KRS 311.6225(1)(e)
9 Patient Limitations	None	POLST order is based on person's current medical condition and wishes. [see form]	Form is for persons with advanced chronic, progressive, and/or end-stage illness. [see form]	None.	Must be a "qualified person" defined as having either (1) an advanced chronic progressive illness; (2) an advanced chronic progressive frailty; (3) a condition caused by injury, disease or illness from which there could be no recovery and death will occur within a short period of time; or (4) a medical condition that, if the person were to	Patient is one who is "frail and elderly or who has a chronic, critical medical condition or a terminal illness and for which a physician orders for scope of treatment is consistent with the individual's goals of care." §144D.1		Usually for persons with advanced illness. KRS 311.6225(1)(g)
10 Other execution requirements?	None	Provider must explain to the patient the difference between advance directives and POLST form. § 327K-2(b).	POST is completed by provider on password protected interactive web page: www.sos.idaho.gov/general/hcdr.htm	Witness over the age of 18 must sign also. 755 ILCS 40/65(b).	No	"If preparation of the form was facilitated by an individual other than the patient's physician, advanced registered nurse practitioner, or physician assistant, the facilitator shall also sign and date the form." § 144.D.2(1)(d)		No

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1 1 Exclusive DNR form?	No	No	No	No. 20 ILCS 2310/2310-600(b-5).	No	Yes, §144A.3, see also 144D.4(3)		No
1 2 Immunity provided?	Yes, § 31-1-14(d)	Yes, § 327K-3	Yes, § 39-4513	Yes, 755 ILCS 40/65(d).	Yes, § 16-36-6-16(a)	Yes, § 144.D.3(4)		Not addressed
1 3 Duty to offer POLST?	No	No	No, but duty to ask if the person or the surrogate decision maker has a POST and to provide one if requested § 39-4512C & 39-4512A(3).	No	No	No		No
1 4 Duty to comply?	Not addressed	Yes, § 327K-2(c)	Yes, with limited exceptions § 39-4512B & 39-4513(5)	Yes. 210 ILCS 47/2-104.2, 210 ILCS 50/3.57, 210 iLCS 85/6.19	Yes. Exceptions listed under § 16-36-6-15(a)(1)-(5).	No - "may comply" § 144D.3(2), (5)		Yes. 311.623(2)
1 5 Original vs. Copies/faxes ?	Yes, § 31-1-14(c)(5)	Original lime green preferred, but no color requirements. Copies are valid. [see form]	Yes, § 39-4514(9)(b)	Bright pink paper recommended or stored in a bright envelope, copies valid. Ill. St. Ch. 210 § 50/3.57	Print on bright pink paper recommended. Facsimiles, paper, or electronic copies valid. § 16-36-6-10(b)	No color requirement, but "The form shall be easily distinguishable." § 144.D.2(1)(f)		Use of original form is required. 311.6225(1)(h)
1 6 Conflicts with AD addressed?	Yes, § 31-1-14(e)	Not addressed	Yes, § 39-4512A(2). But if signed by surrogate decision maker, not contrary to the person's last known expressed wishes or directions: 39-4512A(1).	Not addressed.	Not addressed.	POST form does not supersede DNR form nor power of attorney. §144D.4(1)-(2). Related law: §144A.7 (discussing procedure in absence of DNR form).		If conflict between living will and MOST form, living will shall prevail. KRS 311.6225(1)(g)
1 7 Presumption if section of form left blank	Full treatment [see form]	Full treatment [see form]	Full treatment [see form]	Full treatment [see form]	Full treatment [see form]	Full treatment § 144.D.2(1)(g)		Full treatment. KRS 311.6225(1), and [see form]

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18 Out-of-state POLST recognized?	Yes, § 31-1-14(c)(6)	Not addressed	Yes, § 39-4514(6)	Form shall meet minimum requirements to nationally be considered a POLST form. 20 ILCS 2310/2310-600(b-5).	Not addressed.	Yes, § 144.D.3(1)		Not addressed
19 Web page for additional resources	www.dph.ga.gov/POLST	Kokua Mau: www.kokuamau.org/professionals/polst	Idaho Quality of Life Coalition: http://idqol.org	Chicago End-of-Life Care Coalition: https://cecc.info/	www.iupui.edu/~irespect/docs/INPOSTguidanceHCPJune2013.pdf This guidance book	http://www.idph.state.ia.us/hcr_committees/common/pdf/patient_autonomy_pilot/patient_autonomy		
20 Electronic POLST & Registry								
21 Additional Notes			POST identification jewelry authorized, § 39-4514(5)(c); 39-4502(15).					

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	Louisiana ☼	Maine ☼	Maryland	Massachusetts	Michigan	Minnesota	Mississippi	Missouri ☼
1	Terminology Louisiana Physician Order for Scope of Treatment (LaPOST)	Physician Orders for Life Sustaining Treatment (POLST) [see form]	Medical Orders for Life–Sustaining Treatment (MOLST)	Medical Orders for Life Sustaining Treatment (MOLST) [see form]	Physician Orders for Scope of Treatment (POST)	Provider Orders for Life Sustaining Treatment (POLST) [see form]	Physician Orders for Sustaining Treatment (POST).	Transportable Physician Orders for Patient Preferences (TPOPP)
2	Placement in the state code LSA-R.S. 40:1155.1-1155.6 [formerly cited as LA R.S. 40:1299.64.1] (under Advance Directives and Life-Sustaining Procedures, "Louisiana Physician Order for Scope of Treatment")	None. Established by voluntary consensus.	Health Care Decisions Act-- "Medical Orders for Life– Sustaining Treatment" Form. Repealing and reenacting parts of the Health Care Decisions Act § 5–608, 5–609, 5–617, 5–619, and 19–344(f); Adding to § 5–608.1. Effective date: October 1, 2011	None. Established by voluntary consensus (specifically by precedent, from a pilot in western MA; now the form is used statewide)	None. Established by voluntary consensus in select counties/communities.	None. Established by voluntary consensus.	Miss. Code. Ann. § 41 -41 -301 - 303, eff July 1, 2014. (under Uniform Health-Care Decisions Act)	None. Established by voluntary consensus.
3	Regulations/ Guidelines La. Admin Code. tit. 48, pt. I, § 201 thru §211. Eff. June 2011.		Code of Md Regulations (COMAR) 10.01.21.01 through -.07, effective Jan. 1, 2013.			Endorsement of POLST form by Emergency Medical Services Regulatory Board, meeting minutes of 9/11/09, available at: http://www.emsrb.state.mn.us/minutes/20090911-7.pdf	None	
4	Entity responsible for development / approval of POLST Department of Health and Hospitals. LSA-R.S. 40:1155.3		Department of Health and Mental Hygiene, in conjunction with the Maryland Institute for Emergency Medical Services Systems and the State Board of Physicians, 5-608.1(b)(1)(i) and (ii): The "Medical Orders for Life–Sustaining Treatment" form and the instructions for its completion and use shall be	Department of Public Health. [see form]		Minnesota Medical Association hosts a self-selected, open membership, interdisciplinary, statewide Steering Committee (voluntary consensus process)	The State Board of Medical Licensure shall promulgate a standard POST form. Miss. Code. Ann. § 41 -41 - 302(3)	
5	Provider signature required Physician, LSA-R.S. 40:1155.3(l)	Physician, Physician Assistant, Nurse Practitioner. [see form]	Health Care Decisions Act-- "Medical Orders for Life– Sustaining Treatment" Form. Repealing and reenacting parts of the Health Care Decisions Act § 5–608, 5–609, 5–617, 5–619, and 19–344(f); Adding to § 5–608.1. Effective date: October 1, 2011	Physician, Nurse Practitioner, Physician Assistant. [see form]	Physician, Nurse Practitioner, Physician Assistant. [see form]	Physician (MD/DO), Nurse Practitioner, and Physician Assistant (when delegated)	Physician § 41 -41-302(3)(f)(i)	

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	Louisiana ☼	Maine ☼	Maryland	Massachusetts	Michigan	Minnesota	Mississippi	Missouri ☼
6 Patient signature required?	Yes. LSA-R.S. 40:1155.2(m)	Yes. [see form]	No. When health care facility completes the form, it must offer the patient to "participate." § 608.1(c)(2)(i). Option to decline is included on form.	Yes. [see form]	Yes. [see form]	No, but strongly encouraged. [see form]	The signature of the patient or the patient's representative is required. § 41 -41-302(3)(f)(ii)	
7 Surrogate signature permitted? (Agent/Default Surrogate/Guardian)	Yes. LSA-R.S. 40:1155.2(m)	Yes. [see form]	No (Same rule as above).	Yes. [see form]	Yes. [see form]	No, but strongly encouraged. [see form]	Yes, however, if the patient's representative is not reasonably available to sign the original form, a copy of the completed form with the signature of the patient's representative must be placed in the medical record as soon as practicable and "on file" must be written on the appropriate	
8 Applicable to minors	Yes. No age limit as long as a patient has a life limiting and irreversible condition. Anyone authorized by law who can speak for them can complete	Yes. [see form]	Yes. Parents may authorize.	Yes. [see form]		Yes, being used by at least one pediatric hospital.	Yes, § 41 -41-302(e)(ii)	
9 Patient Limitations	Must be a "qualified patient," i.e. "having a life-limiting and irreversible condition" LSA-R.S. 40:1155.2(11).	Should reflect patient's preferences based on current medical condition. [see form]	Not applicable where primary diagnosis is psychiatric or related to pregnancy, or where patient is a minor unlikely to require life-sustaining treatment. COMAR10.01.21.02			None	None.	
10 Other execution requirements?	When completing a new LaPOST form, the old LaPOST form must be properly voided. LSA-R.S. 40:1155.2(8)(o)(iii)(aa).		No.		Witness signatures. [see form]	No	None	

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	Louisiana ☼	Maine☼	Maryland	Massachusetts	Michigan	Minnesota	Mississippi	Missouri ☼
1 1 Exclusive DNR form?	No		Existing EMS DNR order forms approved by MIEMSS and the Board of Physicians never expire. Going forward, they will only be using MOLST forms but will continue to honor existing EMS DNR order forms.			No	Yes	
1 2 Immunity provided?	Yes. LSA-R.S. 40:1155.5		Yes. Health-General § 5-609(b) and COMAR 10.01.21.07			Under advance directive law,immunity exists when orders consistent with legal health care directive and/or instructions of legally appointed surrogate decision maker	Yes, except for purposeful acts. § 41 -41- 303	
1 3 Duty to offer POLST?	No		Not only a duty to offer, but a duty to complete MOLST for residents of nursing homes, assisted living programs, kidney dialysis centers, home health agencies, and hospices. Hospitals must complete the form to patients that will be transferring to one of these health care facilities or to another hospital.			No	No	
1 4 Duty to comply?	Yes. LSA-R.S. 40:1155.1(A)(4)(d)		Yes, including hospitals, Health-General § 5-608.1(f)			No – Health care directive law provides immunity for short term provision of life prolonging therapy, even against instructions in legal health care directive (& therefore despite POLST).	Yes	
1 5 Original vs. Copies/faxes ?	Print on gold color paper. Copies valid. LSA-R.S. 40:1155.2(8)	Original is strongly encouraged. Copies are legal and valid. [see form]	No color requirement for original. Copies and electronic format valid. COMAR 10.01.21.05	Originals on Astrobrights Pulsar Pink paper. Copies are valid. [see form]	Original form is strongly encouraged. Copies are legal and valid. [see form]	No color requirement for Original. Copies are valid. [see form]	Use of original form is required [see form]	
1 6 Conflicts with AD addressed?	Not addressed. In practice, most recent document is considered valid		Except in cases of medical ineffectiveness, a MOLST form must be consistent with wishes of competent patient, and if incompetent, consistent with any known advance directive. If more			POLST form documents justification for orders (e.g. AD, patient stated preference, proxy instruction, or best interest)	Not addressed.	
1 7 Presumption if section of form left blank	Full treatment. LSA-R.S. 40:1155.2(8).	Full treatment. [see form]	No. But if emergency treatment is needed, Health-General §5-607 authorizes that	Full treatment. [see form]	Full treatment. [see form]	Full treatment [see form]	Full treatment [see form]	

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	Louisiana ☼	Maine ☼	Maryland	Massachusetts	Michigan	Minnesota	Mississippi	Missouri ☼
18 Out-of-state POLST recognized?	Not addressed		Yes. Health-General § 5-617.			Not addressed	Not addressed	
19 Web page for additional resources	http://www.lhcqf.org/lapost/	http://polstmaine.org/	www.marylandmolst.org	http://molst-ma.org/	http://www.honoringhealthcarechoicesmi.org/	MN Med. Society: www.polstmn.org www.mnmed.org/KeyIssues/POLSTCommunications/tabid/	None	
20 Electronic POLST & Registry								
21 Additional Notes			Any individual may request completion of MOLST. COMAR10.01.2104 H				None	

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	Montana ☼	Nebraska	Nevada	New Hampshire	New Jersey	New Mexico	New York ☼	North Carolina ☼	North Dakota	Ohio
1	Terminology Provider Orders for Life-Sustaining Treatment (POLST) [see form]	None.	Provider Orders for Life-Sustaining Treatment (POLST)	Provider Orders for Life-Sustaining Treatment (POLST)	Practitioner Orders for Life-Sustaining Treatment (POLST)	None.	Medical Orders for Life-Sustaining Treatment (MOLST)	Medical Order for Scope of Treatment (MOST)	None.	None.
2	Placement in the state code None, but regulations adopted pursuant to the general rule-making authority granted under the Rights of the Terminally Ill Act, Mt Code Ann. § 50-9-110		N.R.S. 449.691-449.697	N.H. Rev. Stat. § 137-L:1 to 8 (New Hampshire POLST Registry Act)	Physician Orders for Life-Sustaining Treatment Act. N.J.S.A. 26:2H-129 thru 140. Approved Dec. 20, 2011. Freestanding Act, part of Health Facilities provisions.		A 2008 amendment to DNR provision of the Pub Health Law § 2977(13) (DNR law), eff.7/8/08, permitting use of an alternative form to the state DNR form, as approved by DOH. MOLST is the ONLY form approved by DOH and thus, DOH approval permitted MOLST to be used	NC Gen. Stat. § 90-21.17, Eff. October 1, 2007, a section under the Medical Malpractice Actions article, recognizing "Portable do not resuscitate order and Medical Order for Scope of Treatment."		
3	Regulations/Guidelines Mont. Admin. Rule § 37.10.. And MCA § 101, .104, and .105.		Nevada Admin. Code 450B.960 (DNR identification: procedures to be followed by persons who administer emergency medical services)	None.	None. Guidance publication provided by the NJ Hospital Association at www.njha.com/quality-patient-safety/advanced-care-planning/polst		Form approved by Dept. of Health and EMS practice changed to allow EMS to follow DNR, DNI, and MOLST orders, effective 7/8/08. www.nyhealth.gov/professionals/patient_s/patient_rights/molst	Dept. of Health and Human Services, Office of EMS, adopted a MOST form and procedure, eff. January 1, 2008: www.ncdhhs.gov/dh/sr/EMS/dnrmost.html		
4	Entity responsible for development / approval of POLST Department of Public Health and Human Services and Board of Medical Examiners. Mont.Admin.R. 37.10.101(6).		State Board of Health, N.R.S. 449.694	Department of Health and Human Services. N.H. Rev. Stat. § 137-L:1, L:2	NJ Dept. of Health through NJHA Institute for Quality and Patient Safety, N.J.S.A. 26:2H-131		MOLST created by the Community-wide EOL/Palliative Care Initiative, Rochester, NY. Development, implementation, legislative advocacy and health policy change was led by Excellus BCBS, leader of the Initiative, in collaboration with DOH, and multiple collaborating partners. Statewide implementation on	Dept. of Health and Human Services, Division of Health Service Regulation. (Sell forms for 4 cents each). N.C.G.S.A. § 90-21.17(c)		
5	Provider signature required Physician, Nurse Practitioner, and Physician Assistant. Mont.Admin.R. 37.10.101(7), [see form]		Physician, Attending Advanced Practice Registered nurse, of Attending Physician Assistant, §449.6942	Physician, Advanced Practice Registered Nurse. [see form]	Attending Physician or Advanced Practice Nurse, 2H-134(b)(3)		Physician only. [see form]	Physician (MD/DO), Physician Assistant, Nurse Practitioner. N.C.G.S.A. § 90-21.17(c)		

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	Montana ☼	Nebraska	Nevada	New Hampshire	New Jersey	New Mexico	New York ☼	North Carolina ☼	North Dakota	Ohio
6 Patient signature required?	Yes. [see form]		Yes. § 449.6942(4)(a)	Yes. [see form]	Yes. 2H-134(b)(2)		No, but informed consent is required. Verbal consent permitted. Two witnesses are always recommended. One witness may be the physician. [see form]	Yes. N.C.G.S.A. § 90-21.17(b)		
7 Surrogate signature permitted? (Agent/Default Surrogate/Guardian)	Yes. [see form]		Yes. § 449.6942(4)(b)	Yes. [see form]	Yes. 2H-134(b)(2)		Yes, by health care agent, PHL surrogate, minor's parent/guardian, or §1750-b surrogate. Verbal consent permitted. Two witnesses are always recommended. One witness may be the physician. [see form]	Yes. N.C.G.S.A. § 90-21.17(b)		
8 Applicable to minors	No		Yes. § 449.6942(3)(c)	Yes. [see form]	Yes, minors may have POLST with parental or guardian consent. [see form]		Yes Capacity determination, clinical standards, notifications & other legal requirements exist, per DOH Checklist for Minor Patients:	Yes. N.C.G.S.A. § 90-21.17(b)(2)		
9 Patient Limitations	None		No	Medical orders based on patient's current medical condition and preferences. [see form]	None, but "recommended for use on a voluntary basis by patients who have advanced chronic progressive illness or a life expectancy of less than five years, or who otherwise wish to further define their preferences for health care;" N.J.S.A. 26:2H-131		None.	None		
10 Other execution requirements?	No		No	Not addressed	No		Separate signatures required for CPR instruction and for other life-sustaining treatments, as DOH regulations mandate ascertaining if a patient has made a decision regarding resuscitation instructions on the day of admission to a nursing home, while recognizing patients may not be	(1) If patient representative approves orally, must then sign a copy of the form and return it for entry into med record. Original must note signature "on file." (2) Form has box to identify health care professional assisting in preparation.		

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	Montana ☼	Nebraska	Nevada	New Hampshire	New Jersey	New Mexico	New York ☼	North Carolina ☼	North Dakota	Ohio
1 1 Exclusive DNR form?	No		No. §449.6946	No	No		No	No		
1 2 Immunity provided?	Yes		Yes. N.R.S. 449.6948	Yes. N.H. Rev. Stat. § 137-L:8	Yes. § 26:2H-138		Yes, PHL §2994-o, Family Health Care Decisions Act	Yes, 90-21.17(d)		
1 3 Duty to offer POLST?	No, but An attending physician, attending advanced practice registered nurse, or other health care provider who is unwilling to comply with this chapter shall take all reasonable steps as promptly as practicable to transfer care of the declarant to another physician, advanced practice registered nurse, or health care provider who is		Not addressed.	No. N.H. Rev. Stat. § 137-L:4, L:6	Not addressed		No	No		
1 4 Duty to comply?	Yes, EMS personnel must follow POLST protocol. Mont.Admin.R. 37.10.104		Yes. N.R.S. 449.695	Not addressed	Yes. 26H-134(a)		Yes. [see form]	No, but immunity provision does not apply if provider fails to comply with actual knowledge of the form's existence.		
1 5 Original vs. Copies/faxes ?	On terra green (light lime green). Copies valid. [see form]		Original must be with patient during transfer or discharge. [see form]	Use original form if patient is transferred/discharged. [see form]	Original recommended; copies also valid (in NJ Guidelines for implementation) [see form]		Pink original is preferred. Copies, fax and electronic representation are legal and valid orders.	Pink original must be used. [see form]		
1 6 Conflicts with AD addressed?	Not addressed		Most recently executed shall take precedence. N.R.S. 449.6946	Not addressed	More recent verbal or written directive prevails. § 26:2H-135(c).		Not specifically addressed but surrogates are obligated to follow patient's known wishes; otherwise best interests.	Yes, MOST form "may suspend any conflicting directions in patient's AD.90-21.17(c)		
1 7 Presumption if section of form left blank	Full treatment [see form]		Full treatment. [see form]	Full treatment [see form]	Full treatment [see form]		No. Section may be crossed out with notation "Decision Deferred"	Full treatment [see form]		

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	Montana ☼	Nebraska	Nevada	New Hampshire	New Jersey	New Mexico	New York ☼	North Carolina ☼	North Dakota	Ohio
18 Out-of-state POLST recognized?	Not addressed		Yes. N.R.S. 449.696	Not addressed	Yes. § 26:2H-134(4)		Yes	Not addressed		
19 Web page for additional resources	http://bsd.dli.mt.gov/license/bsd_boards/med_board/polst.asp		http://www.nevadapolst.org/		www.njha.com/quality-patient-safety/advanced-care-planning/polst and		Dept. of Health: www.nyhealth.gov/professionals/patient_rights/molst Also see	NC Medical Society: www.ncmedsoc.org/pages/public_health_info/end_of_life.html		
20 Electronic POLST & Registry			Nevada Lockbox, see: http://www.nevadapolst.org/providers/providers-nevada-lockbox/	Department shall establish and operate statewide registry. N.H. Rev. Stat. § 137-L:3 NH POLST registry fund. N.H. Rev. Stat. § 137-L:3(V)						
21 Additional Notes				As much as HIPAA permits, qualified researchers may obtain registry information for research purposes. N.H. Rev. Stat. § 137-L:3(II) NOTE: POLST in New Hampshire has been established by medical consensus and not by legislation.	Physician and Advance Practice Nurse education in end-of-life care required (Section 14(a), 15 (a) of law)		Physician and APN education in end-of-life care required (§14(a), 15 (a) of law). NY has created eMOLST, a secure web-based application that allows enrolled users to complete the eMOLST form and MOLST Chart Documentation Form (goals for care discussion and legal requirements). The forms are			

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	Oklahoma	Oregon ☼	Pennsylvania ☼	Rhode Island	South Carolina	South Dakota	Tennessee ☼	Texas	Utah ☼	Vermont
1	Terminology Physician Orders for Life Sustaining Treatment (POLST)	Physician Orders for Life-Sustaining Treatment (POLST)	Pennsylvania Orders for Life-Sustaining Treatment (POLST)	Medical Orders for Life-Sustaining Treatment (MOLST)	None.	None.	Physician Orders for Scope of Treatment (POST)	None.	Life with Dignity Order (LWDO) – generic term. Physician Orders for Life Sustaining Treatment (POLST)	Clinician Orders for Life-sustaining Treatment (COLST)
2	Placement in the state code 2016 Okla. Sess. Law Serv. Ch. 355 (H.B. 3017), to be codified as 63 Okl.St. Ann. § 3105.1-.5 (Physician Orders for Life-Sustaining Treatment Act)	No statute from inception in 1991 until 2009 Oregon POLST Registry Act, Or. Rev. Stat. Ann. §127-663 to -684, eff. June 26, 2009, which defined POLST. And created a POLST registry.	None. Established by voluntary consensus.	R.I. Gen. Laws §23-4.11-3.1 and 23-4.11-2 (10) (part of the state Living Will Statute, §23-4.11-1 to -15). Defines MOLST as another type of “Declaration” eff. June 11, 2012.			Tenn. Code. Ann. § 68-11-224, amended by TN LEGIS 254 (2013), approved April 19, 2013.		Utah Code Ann. §75-2a-106, plus definition at §75-2a-103(17), enacted in 2007 as part of a comprehensive advance directive statute (eff. Jan. 1, 2008).	2005 revisions to Advance Directive law included rulemaking for COLST, at 18 V.S.A. § 9719. A 2009 amendment added a definition, §9701(6); and in 2011 specifications for COLST, §9708.
3	Regulations/Guidelines None.	OAR 847-035-0030(6), a Medical Bd. regulation requiring EMS personnel to honor POLST; and OAR 847-010-0110 (Medical Bd. regulation), requiring physicians, nurse practitioners, and physician assistants to honor POLST even if the signer is not on the facility medical staff.	Secretary of Health approved a standard form called Pennsylvania Order for Life-Sustaining Treatment for use in Pennsylvania. October 24, 2010	Rules and Regulations Pertaining to Medical Orders for Life-sustaining Treatment, R23-4.11-MOLST. See: www.pcmhri.org/files/uploads/Rules%20and%20Regulations%20Pertaining%20to%20Medical%20Orders%20for%20Life%20Sustaining%20Treatment.pdf			Board for Licensing Health Care Facilities adopted Physician Orders for Scope of Treatment (POST) in requirements for each type of facility. See Tenn. Comp. R. & Regs. 1200-08-01-.15 (Appendix I) for Hospitals. Similar provision applies to other facilities: http://www.state.tn.us/sos/rules/1200/1200-08-01-15.pdf		Utah Admin. R. 432-31. Regulation eff. Feb. 25, 2010: www.rules.utah.gov/publicat/code/r432/r432-031.htm . Form: http://health.utah.gov/hfcra/forms/POLST/POLSTForm2010.pdf	Vt. Admin. Code 12-5-15:1, particularly 12-5-15: Appendix B. See: http://healthvermont.gov/news/2011/06/3011_DNR-COLST.aspx Also see: http://healthvermont.gov/regs/ad/dnr_colst_instructions.pdf
4	Entity responsible for development / approval of POLST Office of Attorney General. Okl.St. Ann. § 3105.3	Oregon POLST Task Force through the Center for Ethics in Health Care at Oregon Health & Science University	Pennsylvania Department of Health [see form]	Dept. of Health~§ 23-4.11-3.1 www.health.ri.gov/lifestages/death/about/medicalordersforlifesustainingtreatment			Board for Licensing Health Care Facilities. Tenn. Code. Ann. § 68-11-224(j)(1)		Department of Health, 75-2a-106(10). See http://health.utah.gov/ems/polst	Vermont Dept. of Health. [see form]
5	Provider signature required Yes, § 3105.4(E)	Physician, naturopathic physician (See 2017 Oregon Laws H.B. 3363(West's No. 409)), Nurse Practitioner, Physician Assistant, Or. Admin. Rule 333-270-0030	Physician, Physician Assistant, Nurse Practitioner (CRNP) [see form]	Physician (MD/DO), Registered Nurse Practitioner, Physician Assistant, 23-4.11-2(12)			Physician, Physician Assistant, Nurse Practitioner, or Clinical Nurse Specialist (For the non-physicians, extensive prerequisites must be met). Tenn. Code. Ann. § 68-11-224(a)(8)(B)		Physician, Advance Practice RN, or Physician Asst (w/in scope supervisory agreement). Also provides that other specified health professionals acting under the supervision of the above may “prepare” the LWDO. Form includes box for preparer signature, also. 75-2a-106(2)	Clinician. 18 V.S.A. § 9708 (d)

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	Oklahoma	Oregon ☼	Pennsylvania ☼	Rhode Island	South Carolina	South Dakota	Tennessee ☼	Texas	Utah ☼	Vermont
6 Patient signature required?	Yes, § 3105.4(E)	No, but strongly recommended	Yes [see form]	Yes, 23-4.11-3.1(b) and (c).			Not required in statute, but optional signature line included in approved form. [see form]		Yes, 75-2a-106(3)	Informed consent required, but signature is optional. Informed consent not required physician and 2nd clinician have "determined that resuscitation would not prevent the imminent death of the patient, should the patient experience cardiopulmonary arrest." 9708(d)(3)
7 Surrogate signature permitted? (Agent/Default Surrogate/Guardian)	Yes, § 3105.4(E)	Yes, ORS 127.635 (default surrogate consent law)	Yes [see form]	Yes, 23-4.11-3.1(b) and (c).			Yes. [see form]		Yes, 75-2a-106(3)	Yes, 9708(f)
8 Applicable to minors	Yes, § 3105.4(F)	Yes	Yes	Yes			Yes, 68-11-224		Yes, 75-2a-106(3), but if patient is a minor and POLST calls for forgoing LST, 2 physicians must certify that it is "in the best interest of the minor." §75-	No
9 Patient Limitations	None.	None	None	Limited to "Qualified patient" i.e., one in a terminal condition. 23-4.11-2(16), but defined very broadly as an "incurable or irreversible condition that, without the administration of life sustaining procedures, will, in the opinion of the attending physician, result in death." 23-4.11-2(20).			None		None	None
10 Other execution requirements?	At the beginning of renewing and preparing the POLST form with the patient, the physician must give the person a copy of the disclosure statement. § 3105.3	No. Form has box to identify health care professional assisting in preparation.	No	No			No		Form has box to identify health care professional assisting in preparation.	Patient's clinician must sign the DNR part of the form separately from the other medical interventions. If patient is in a health care facility, clinician must certify that the facility's DNR policy has been followed. 9708(d)

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	Oklahoma	Oregon ☼	Pennsylvania ☼	Rhode Island	South Carolina	South Dakota	Tennessee ☼	Texas	Utah ☼	Vermont
1 1 Exclusive DNR form?	No	Outside of health care facilities, yes.	No	No, 23-4.11-3.1(b)			No		No R432-31-11	Not within facility, but required in community. 9708(b) and (c)
1 2 Immunity provided?	Yes, § 3105.5	Yes, Or. Rev. Stat. 127.555 (advance directive law) as interpreted by OAR 847-010-0110	Not addressed	Yes, 23-4.11-8			Yes-68-11-224		Yes, both for complying and for providing LST in contravention of the POLST, 75-2a-106(6)	Yes, §9713
1 3 Duty to offer POLST?	No	No	Not addressed	No			No, but if patient has a DNR order at time of discharge, facility "shall complete a POST form"		Yes, must establish policies to determine who is appropriate for POLST and offer. R432-31-4	Yes
1 4 Duty to comply?	Yes, with exceptions. § 3105.4(F), 3105.5	Yes, OAR 847-010-0110	Not addressed	Yes, with limited exceptions, 23-4.11-3.1(c)			Form must accompany patient on transfer or discharge.		No. But facilities have duty to transfer copy of POLST with patient	Yes, 9708(i)
1 5 Original vs. Copies/faxes ?	Originals on pink paper. Copies are valid. § 3105.4	Pink original. Copies valid	Print on pulsar pink card stock recommended. Copies valid [see form]	Yes			Approved form notes that copies are valid.		Use of original is strongly encouraged. Copies valid. [see form]	Original any color. Copies valid per instructions.
1 6 Conflicts with AD addressed?	Not addressed	No	Any current AD, if available, must be reviewed	Not addressed			Not addressed		POLST controls, 75-2a-106(7)	Not addressed.
1 7 Presumption if section of form left blank	Full treatment, § 3105.4	Full treatment. [see form]	Healthcare provider should follow other appropriate methods to determine treatment. [see form]	Full treatment [see form]			Full treatment [see form]		Not addressed.	No presumption.

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	Oklahoma	Oregon ☼	Pennsylvania ☼	Rhode Island	South Carolina	South Dakota	Tennessee ☼	Texas	Utah ☼	Vermont
18 Out-of-state POLST recognized?	No, out-of-state form only valid for 10 days after patient's admission into OK medical care facility. § 3105.3	Yes, OAR 847-010-0110 is interpreted to support compliance with out-of-state forms. See: www.oregonpolst.org/wp-content/uploads/2013/02/OregonPOLSTTaskForceReciprocityStatementFinal.pdf	Not addressed	Yes, § 23-4.11-12			Not addressed		Yes, R432-31-11	Yes, 18 V.S.A. §9708(k)
19 Web page for additional resources		OR Health Sciences at: www.orpolst.org/	The Aging Institute of UPMC Senior Services and the University of Pittsburgh --	www.health.ri.gov/lifestages/death/about/medicalordersforlifesusustainingtreatment_Also			http://endoflifecaretn.org		UT Center on Aging Provider Guide at https://www.uth.edu/aging/patients-care/locations/ut-	Vermont Ethics Network: http://vtethicsnetwork.org/colst.html
20 Electronic POLST & Registry		Statewide registry. O.R.S. § 127.666								Commissioner shall develop and maintain a registry. 18 V.S.A. § 9719(b), (c)(1). Definition of "registry." 18 V.S.A. § 9701(28).
21 Additional Notes	Requires the POLST form to incorporate verbatim a paragraph describing the patient's medical treatment rights under Oklahoma law. § 3105.4(F)	Oregon POLST Registry became available for statewide use in late 2009. The law does not require a patient to have a POLST form, but if completed, the signing health care professional must submit to the Registry, unless patient opts out. See: www.oregonpolst.org/oregon-polst-	See also: http://www.polst.org/wp-content/uploads/2013/01/POLST-Education.pdf				Physician's verbal orders are acceptable with follow-up signature by physician in accordance with facility/community policy.		DOH developing web page for electronic registry. Also referred to as "A Life with Dignity Order"	If DNR order issued, clinician shall authorize the issuance of DNR identification (bracelet) §9708(h)

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	Virginia ☼	Washington ☼	West Virginia ☼	Wisconsin ☼ (La Crosse Region)	Wyoming
1	Terminology Physician Orders for Scope of Treatment (POST) [see form]	Physician Orders for Life-Sustaining Treatment (POLST)	Physician Orders for Scope of Treatment (POST)	Physician Orders for Life Sustaining Treatment (POLST)	Provider Orders for Life Sustaining Treatment (POLST)
2	Placement in the state code Va. Code Ann. § 54.1-2987.1 (West).	Rev. Code Wash. Ann. § 43.70.480 amendment in 2000 mandated DOH develop EMS guidelines – including "a simple form that shall be used statewide" - for persons with signed writings requesting no "futile emergency medical treatment."	Amendment to WV Code §16-30C-1 to -16 (DNR law); and 16-30-1 to 25 (Health Care Decisions Act) specifically § 16-30-3(u), -5, -10, -13(d), and -25. Enacted 2002.	None. Established by voluntary consensus.	W.S.1977 § 35-22-501 to -509 ("Provider Orders for Life Sustaining Treatment Program Act"), under Chapter 22: Living Will
3	Regulations/Guidelines	The Dept. of Health developed the form and program in conjunction with the Washington State Medical Assn: http://www.wsma.org/POLST	Guidelines -- provided by the WV Center for End-of-Life Care at: www.wvendoflife.org/POLST and www.wvendoflife.org/MediaLibraries/WVCEOLC/Media/professional/POLST-Manual-2012-complete.pdf		WY Rules and Regulations HLTH POLST Ch. 1 §§ 1-6 (Provider Orders for Life Sustaining Treatment)
4	Entity responsible for development / approval of POLST Virginia POST Collaborative. [see form]	The Dept. of Health, Office of Emergency Medical Services & Trauma System (OEMSTS)	Development: Dept. of Health & Human Resources/ Management: The West Virginia Center for End-of-Life Care.	La Crosse Area Advanced Directive Task Force	Department of Health. W.S.1977 § 35-22-504
5	Provider signature required Physician, Nurse Practitioner, Physician Assistant. [see form]	Physician, Nurse Practitioner, or Physician Assistant [see form]	Yes, physician. § 16-30-25	Physician, Nurse Practitioner. [see form]	Yes, licensed primary health care provider entering medical orders on the POLST form. W.S.1977 § 35-22-504(a)(iii)(D)

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	Virginia ☼	Washington ☼	West Virginia ☼	Wisconsin ☼ (La Crosse Region)	Wyoming
6 Patient signature required?	Yes. [see form]	Yes. [see form]	Yes. § 16-30-25	No, optional. [see form]	Yes, W.S.1977 § 35-22-504(a)(iii)(B)
7 Surrogate signature permitted? (Agent/Default Surrogate/Guardian)	Yes. [see form]	Yes. [see form]	Yes, § 16-30-25	Yes. [see form]	Yes, W.S.1977 § 35-22-504(a)(iii)(B)
8 Applicable to minors	Yes.	Yes	None	Yes. [see form]	Yes, W.S.1977 § 35-22-503(e)
9 Patient Limitations	Order should reflect patient's current preferences. [see form]	None	None		Recommended for patients with advanced illness or frailty
10 Other execution requirements?		Form has box to identify health care. Professional assisting in preparation.	No		No

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	Virginia ☼	Washington ☼	West Virginia ☼	Wisconsin ☼ (La Crosse Region)	Wyoming
1 1 Exclusive DNR form?		No	No		No
1 2 Immunity provided?		Yes, statute interpreted to provide for EMS responders. Rev. Code Was. Ann.Y3 §18.71.210	Yes. W. Va. Code, § 16-30-10	N.B. See Attorney General Opinion 10-14, which states that "reliance on a POLST form would not trigger immunity for a healthcare provider."	Yes, W.S.1977 § 35-22-505
1 3 Duty to offer POLST?		No	No		No
1 4 Duty to comply?		Yes, by EMS as the accepted standard of care	Yes. §16-30-12 and 16-30-10 and §16-30C-7		Yes, W.S.1977 § 35-22-505
1 5 Original vs. Copies/faxes ?	Original form is encouraged. Copies are honored. [see form]	Green original (a downloadable original can be printed on green stock). Copies valid.	Bright Pink Original. Copies must be pink. W. Va. Code, § 16-30-25	Original must accompany patient when transferred or discharged. [see form]	Use of original form is strongly encouraged. Yellow cardstock original. Copies are valid. [see form]
1 6 Conflicts with AD addressed?		Most recently completed form takes precedence.	The person's expressed directives control. 16-30-5(b)		Not addressed
1 7 Presumption if section of form left blank	Full treatment [see form]	Full treatment [see form]	Full treatment [see form]	Full treatment [see form]	Full treatment [see form]

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	Virginia ☼	Washington ☼	West Virginia ☼	Wisconsin ☼ (La Crosse Region)	Wyoming
18 Out-of-state POLST recognized?	Yes, § 54.1-2987.1	Not addressed	Yes, DNR §16-30C-15 Not addressed for POST		Not addressed
19 Web page for additional resources	http://www.virginiapost.org/	WA State Medical Assn at http://www.wsma.org/POLST	WV Center for EOL Care: www.wvendoflife.org/POST		https://www.wyomed.org/WyoPOLST
20 Electronic POLST & Registry			Can be filed with WV e-Directive Registry. See: www.wvendoflife.org/e-Directive-Registry		
21 Additional Notes					The POLST legislation shall not be construed as condoning, authorizing, or approving euthanasia/mercy killing. W.S.1977 § 35-22-509