Advance Directives Policy and Procedures

Company: Advanced Health	Approved by: Wendy Haack, DO Title: Chief Medical Officer Current Revision Date: 10/27/2026 Current Review Date; 10/27/2026
Department: Customer Service	

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1. PURPOSE

1.1. To provide opportunities for, and educate Members about, their right to be involved in decisions regarding their care, including documentation of Advance Directives and allowance of the Member's Representative to facilitate care or make treatment decisions when the Member is unable to do so.

2. SCOPE

2.1. Advanced Health contracts with DOCS Management Services (DOCS) for most administrative and operational functions. Advanced Health, through a privileged provider agreement, delegates delivery of all physical health, behavioral health, and pharmacy services, including certain administrative functions, to Southwest Oregon IPA, Inc. (SWOIPA) as part of operational and compliance management. In addition, SWOIPA further subdelegates administrative and operational tasks to ensure effective benefit administration and program

operation under their privileged provider agreement to DOCS Management Services. These responsibilities include, but are not limited to, the development, review, approval, and ongoing maintenance of policies and procedures necessary to fulfill contractual and regulatory requirements. All contracted activities remain subject to oversight and accountability measures established by Advanced Health to ensure compliance with applicable laws, regulations, and organizational standards

2.2. These Advance Directives Policies and Procedures apply to Advanced Health, and by extension to its Network Providers, with respect to Advance Directives for Adult Members.

3. ACRONYMS AND DEFINITIONS

3.1. Unless otherwise defined, all uppercase words will be defined the same as in the CCO Contract.

3.2. Unless specifically defined in these Advance Directive Policies and Procedures, all capitalized terms have the meaning assigned to them in "Advanced Health – Definitions Applicable to all Policies and Procedures." The words "include" and "including" and their derivatives are deemed to be followed by the phrase "without limitation." All pronouns are deemed to include masculine, feminine, gender-neutral or gender-multiple, and singular and plural, as the identity of the person(s) requires.

4. POLICIES

4.1. Advanced Health will ensure that its Network Providers are providing written information to all Adult Members receiving medical care with respect to their rights under State law (whether statutory or recognized by the courts of the State) to make decisions concerning their medical care, including the right to accept or refuse medical or surgical treatment and the right to formulate Advance Directives and information regarding the implementation of such a directive.

4.2. Neither Advanced Health nor its Network Providers will condition the authorization or provision of care or otherwise discriminate against a Member based on whether or not the Member has executed an Advance Directive. The Plan will facilitate communications between a Member or Member's Representative and the Member's Provider if and when the need is identified to ensure that they are involved in decisions to withhold resuscitative services, or to forgo or withdraw life-sustaining treatment.

4.3. Advanced Health will remain informed about changes in State (and, as applicable, federal) Laws relating to Member rights with respect to Advance Directives and will keep Members informed in accordance with applicable Law. Advanced Health will support Network Providers in their efforts to provide information to Members.

4.4. Advanced Health shall not discriminate against individuals eligible to Enroll on any basis or use any policy or practice that has the effect of discriminating against individuals eligible to enroll on any basis, including: age, disability; national origin, primary language, and proficiency of the English Language; race, religion, color; sex, sex characteristics, sexual orientation, gender identity, or sex stereotypes; Pregnancy or related conditions; or health status or need for services

4.5. Advanced Health is not required to:

1) Provide care that conflicts with an advance directive; and

2) Implement an advance directive if, as a matter of conscience, Advanced Health cannot implement an advance directive and Oregon law allows a CCO or any health care provider to conscientiously object.

5. PROCEDURES

5.1. Upon Enrollment, all new Members receive a Welcome Letter with a link to the current Member Handbook containing information regarding Advance Directives that includes the following information in their preferred language or alternate format:

5.1.1. The Member's right to accept or refuse treatment;

5.1.2. Advanced Health's policies for implementation of Advance Directives including the Member's right to complete an Advance Directive and how to implement that right;

5.1.3. Any limitations if Advanced Health cannot implement an Advance Directive as a matter of conscience, including the State legal authority permitting such objection, and a description of the range of medical conditions, procedures and limitations affected by the conscience objection;

5.1.4. Clarification of differences between institution-wide conscientious objections and those that may be raised by Network Providers; and

5.1.5. Information regarding filing complaints concerning noncompliance with Advance Directive requirements through the State's complaint hotline and OHA.

5.2. If a Member is incapacitated at the time of initial Enrollment or at the time that medical care is initiated and is unable to receive information (due to the incapacitating condition or a mental disorder), or articulate whether or not he or she has executed an Advance Directive, Advanced Health may give Advance Directive information to the Member's family or Member's Representative in accordance with State law. If the Member's incapacitating condition is temporary in nature, Advanced Health will communicate this information directly to the member once he or she is no longer incapacitated.

5.3. A summary of Advanced Health's policy regarding Advance Directives is included in the Provider Manual and details are available upon request. Documentation of a Member's executed Advance Directive must be maintained in a prominent part of the Member's current medical record. The medical record shall also contain documentation on whether or not the Member has executed an Advance Directive.

5.4. Advanced Health does not have any conscientious objections related to medical conditions or procedures and the Members' Advance Directives. These Policies and Procedures shall be revised in the event that Advanced Health adopts such objections, and in that case it shall inform OHA and shall abide by all legal rulings issued by the CMS or OHA regarding conscientious objection decisions.

5.5. If a Member contacts Advanced Health with complaints regarding a Provider's noncompliance with an Advance Directive, the Plan shall inform the Member that he or she may file a complaint with OHA.

5.6. Neither Advanced Health nor its Network Providers shall condition a Member's care on whether he or she has an Advance Directive. Neither Advanced Health nor any Network Provider shall otherwise discriminate against a Member based on whether or not the Member has executed an Advance Directive. Providers identified as noncompliant with a Member's Advance Directive or treatment decision are referred by the CMO and the Credentialing and Access Committee for review.

5.7. The CMO shall ensure that information provided to Members and Providers is current and reflects changes in State law as soon as possible after those changes are effective, but in no event later 90 calendar days after the effective date of the change. Advanced Health Care Management employees will receive training concerning the policies and procedures for Advance Directives, including training regarding any changes as necessitated by changes in State law. Advanced Health shall also provide community education regarding advance directives either directly or in concert with other providers or entities.

5.8. If Advanced Health contracts with another entity for the functions described in these Policies and Procedures, Advanced Health will remain ultimately accountable for ensuring that Advance Directive requirements are being met and will provide oversight pursuant to the contract with the entity and Advanced Health's compliance procedures.

6. REFERENCE SOURCES

6.1. 42 CFR 422.128-Information on Advanced Directives

6.2. OAR 410-141-3585(10)(s)-Member Relations

6.3. CCO Contract, Exhibit E, Section 14

6.4. ORS 127.505 – 127.529- Advanced Directives for Health Care

7. RESPONSIBILITIES

(Compliance, Monitoring, Review)

7.1. The Chief Medical Officer (CMO) has primary responsibility for development, implementation and updating of these Policies and Procedures.

7.2. The CMO shall work collaboratively with the Care Management, Member Services and the Health Information Systems Departments to ensure that Members receive appropriate information with respect to Advance Directives and that Members' Advance Directives are properly maintained in the Members' health records.

8. RELATED DOCUMENTS

8.1. Member Handbook

8.2. Provider Handbook

8.3. Employee Handbook

9. ATTACHMENTS

9.1. None

10. HEALTH EQUITY IMPACT ASSESSMENT TOOL

(If question does not apply, answer "Does Not Apply")

10.1. Does the policy advance equity and what are the intended outcomes? How? If not, does it have the potential to ignore or worsen existing disparities or produce other unintended consequences, should this policy be enacted? If so, what mitigation should be planned?	Yes, the policy assures that all adult members are informed of the availability of Advance Directives.
10.2. Was there equitable involvement in the drafting or revision process? How have you included those impacted in the process? Who else should be involved? Who is the focus and who may be being left out?	The policy itself is based on OARS and CFRs. These focus on all adult members which includes the total eligible population.
10.3. What are the potential equity-related disparate impacts of this policy, practice, or decision? How might this policy have a disproportionate impact, negatively or positively on those historically underrepresented or excluded? How does this policy, practice or decision perpetuate or help to dismantle historical or other barriers to equity?	Potential equity-related impacts could revolve around some members not having assistance in completing the paperwork so multiple resources have been developed and are also made available to members by the CCO. We also assure that the language access taglines are on all advance directive communications to assure all members have the option to receive the information in the format and language they can understand.
10.4. What accountability, infrastructure and resources are required to implement the policy with the goal of advancing health equity?	Monitoring of the Network providers to assure they are following the OARS and CFRs. The CCO will continue to provide written information to members on Advance Directives and supports.
10.5. What is the plan to evaluate and monitor the policy, practice, or decision to ensure equity in the short- and long-term?	The CCO will continue to monitor the guidelines and update policies as needed as well as keeping our membership informed and providers educated on Advance Directives.

11. APPROVALS	
11.1 – Document Owner	Name and Title: Lisa Frischkorn, Director of Member Services Department: Member Services
11.2 – Approving Manager	Name and Title: Wendy Haack,DO, Chief Medical Officer Department: Administration Signature: Wendy Haack, D.O. Wendy Haack, D.O. (Nov 1, 2026 16:06:40 PST)
11.3 – Collaborators	Name(s) and Title(s):
11.4 – Approvals	**Policy Review Committee** Date Approved: 10/28/2026 **OHA Approval (if needed)** Date Approved:
11.5 – Original Effective Date **11.6 – Review Period** **11.7 – Review Date(s)** **11.8 – Revision Date(s)**	**Date: July 31, 2019** **How often PnP is reviewed:** *(Annual, Biannual, Biennial)* **Date: 11/19/2024** **Date: 8/14/2020, 11/19/2024, 1/22/2026,10/27/2026**
11.9 – Add to Advanced Health Website	☐

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