



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene

Office of Health Care Quality

Spring Grove Center • Bland Bryant Building

55 Wade Avenue • Catonsville, Maryland 21228-4663

Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – Joshua M. Sharfstein M.D., Secretary

Transmittal

To: All Interested Parties

From: Nancy Grimm, RN, JD
Director Office of Health Quality
DHMH

Richard Alcorta, MD FACEP
State EMS Medical Director
MIEMSS

Date: September 23, 2011

**Maryland Medical Orders for Life-Sustaining Treatment (MOLST) FAQs
September 22, 2011**

Why did DHMH not proceed with the emergency regulations for Maryland MOLST?

The development and implementation of MOLST is an important step to help health care providers honor individual's wishes for life-sustaining treatments. Key stakeholders made the reasonable request that the Department allow additional time for implementation. This additional time should be used by health care facilities and program to refine policies and procedures related to health care decision making and to train their health care practitioners in the proper use of the MOLST form.

Why can't you give an exact date that the Maryland MOLST regulations will be mandatory? There are many steps involved in the process, so we cannot give the exact date. We expect the proposed regulations to become effective between January and April 2012. As soon as information is available, it will be posted on the Maryland MOLST website listed below.

Will nursing homes and assisted living facilities still have six months from the mandatory date of implementation to complete Maryland MOLST forms for those individuals admitted to the facility prior to the date of implementation? Yes. For six months after the mandatory implementation date, the Office of Health Care Quality will not cite deficiencies related solely for failure to complete the MOLST form for a resident who was admitted prior to the implementation date.

My facility or program is ready to implement Maryland MOLST. May we voluntarily implement the Maryland MOLST form and processes on October 1, 2011? Yes. Since the regulations are not in place, the Office of Health Care Quality will not issue technical deficiencies based solely on the Maryland MOLST form; however, deficiencies based on all other federal, state, and local regulations will continue to be cited as usual.

What version of the Maryland MOLST form should I use? You should use the form that was posted on the Maryland MOLST website at 12 noon on September 22, 2011.

http://dhmh.maryland.gov/marylandmolst/pages/molst_form.htm

In nursing homes, are the requirements for the Instructions on Current Life-Sustaining Treatment Options (LSTO) in COMAR 02.06.03 still in effect after October 1, 2011? No, but if a nursing home stops the LSTO process and does not implement the MOLST process, the facility must have policies and procedures in place to protect patients' rights.

Will the current EMS DNR form still be available after October 1, 2011? Yes, the current MIEMSS EMS DNR form will be available at:

http://www.miemss.org/home/Portals/0/Docs/OtherPDFs/DNRorder_form.pdf

When will prior versions of the EMS DNR forms expire? Never. All prior versions of the EMS DNR order forms never expire.

Will EMS providers throughout the state of Maryland recognize and honor the Maryland MOLST form beginning on October 1, 2011? Yes. EMS providers will follow orders on the Maryland MOLST form beginning on October 1, 2011.

Should health care providers, health care facilities and community based programs honor orders on the Maryland MOLST form beginning on October 1, 2011? Yes. Beginning October 1, 2011, to protect patients' rights in determining their care, all health care providers, health care facilities and community based programs should honor orders on a Maryland MOLST order form.

How do I get more information? The website below will contain the most up-to-date information available on MOLST. If your question is not answered on the website, you may email or call the individuals below.

Website: <http://dhmh.maryland.gov/marylandmolst>

Email: MarylandMOLST@dhmh.state.md.us

Call: Paul Ballard, JD, Assistant Attorney General, 410-767-6918
Tricia Tomsko Nay, MD, Office of Health Care Quality, 410-402-8055
Richard Alcorta, MD, MIEMSS, 410-706-4367

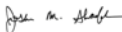


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Maryland Department of Health and Mental Hygiene
201 W. Preston Street • Baltimore, Maryland 21201

Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – Joshua M. Sharfstein, M.D., Secretary

To: Interested Parties

From: Joshua M. Sharfstein, M.D. 
Secretary

Date: September 20, 2011

Subject: Medical Orders for Life Sustaining Treatment (MOLST) Form

The development and implementation of the Medical Orders for Life Sustaining Treatment (MOLST) form is an important step to help health care providers honor individuals' wishes for their end of life care. The Department's initial plan aimed for implementation of this form on October 1, 2011. In recent days, key stakeholders have made the reasonable request that the Department take further public comment and allow additional time for implementation.

As a result, the Department is not proceeding with the emergency regulations that would have required implementation on October 1. On September 23, we will publish proposed regulations for 30 days of public comment in the Maryland Register. More information will be available online at <http://dhmh.maryland.gov/marylandmolst>.

If you have any further questions, please contact Dr. Tricia Nay at the Office of Health Care Quality, Paul Ballard at the Office of the Attorney General, or Dr. Richard Alcorta at MIEMSS via the e-mail address MarylandMOLST@dhmh.state.md.us.