What is purpose of a Non-Opioid Directive?

Generically, the purpose of a nonopioid directive is to provide a vehicle through which someone who wishes to avoid being offered, prescribed, or administered opioids can both make those wishes known and have them be legally recognized.

"Voluntary nonopioid directive." A written instruction form executed by a patient evidencing the named patient's request not to have an opioid drug offered, supplied, prescribed or otherwise administered to the named patient by a practitioner.
Target Audience

- persons with substance use disorders (SUDs) who wish to achieve or maintain abstinence from opioid use

Is it an advance directive?

- Well...sort of:
  - It does seek to direct future medical care and treatment
  - It is (sometimes) the previously expressed wishes of the patient
  - Health professionals could be legally or professionally sanctioned if they don't follow it
- But...
  - A surrogate can complete it for the patient
  - It doesn't usually have witnessing or notarization requirements
  - The patient does not have to lack decision making capacity and be terminally ill or permanently unconscious
  - A surrogate has the authority to revoke

More like a POLST form?

- It is immediately operative
- Can be completed by a surrogate
- Is valid across treatment settings...It appears
- But it isn't a medical order
Clinicin involvement requirements?

- This varies with the state and form:
  - WV encourages patients to complete the form in consultation with their provider but it isn’t necessary—a clinician is only required to sign the form to acknowledge receipt of it and must put in the medical record
  - PA describes the form as a communication aide and clinician’s signature acknowledges the request regarding opioid medications, that it is consistent with patient desires, and in the best interest of the patient
  - Michigan doesn’t require a clinician signature

Surrogates and Guardians

Parents of minor children, court appointed guardians, patient appointed surrogates...but not all directives are specific about who qualifies as a decision making surrogate with regard to this form...and in which situations it would be appropriate for them to be making such decisions for another person...especially regarding the management of pain.

Or, when they could revoke the document.

In PA:
Patient, parent of minor, health care representative, health care agent, court-appointed guardian, other

Emergency exemptions...?

- Some of these documents have exemption written in
  - In many cases the NOD can be overridden in emergency situations
  - When the drugs in questions are being used to treat a substance use disorder
  - If the patient enters hospice
  - PA has an emergency exception...WV does not

- So that leads to another question...are these honored across state lines???
So do they work?

To this point I can find zero research...so why?

A response to a crisis
A response to personal tragedy
Federal and state dollars
Pennsylvania Non-Opioid Directive (PNOD)

- By checking this box, the documented patient refuses the offer, supply, prescription or otherwise administration of any controlled substance containing an opioid.
- Emergency exception
- Recommends annual review