§ 2994-dd. Managing a nonhospital order not to resuscitate. 1. The attending practitioner shall record the issuance of a nonhospital order not to resuscitate in the patient's medical record.

2. A nonhospital order not to resuscitate shall be issued upon a standard form prescribed by the commissioner. A standard bracelet or other article may be worn by a patient with a nonhospital order not to resuscitate to identify that status; provided, however, that no person may require a patient to wear such an article and that no person may require a patient to wear such an article as a condition for honoring a nonhospital order not to resuscitate or for providing health care services.

3. An attending practitioner who has issued a nonhospital order not to resuscitate, and who transfers care of the patient to another physician, nurse practitioner or physician assistant, shall inform the physician, nurse practitioner or physician assistant of the order.

4. For each patient for whom a nonhospital order not to resuscitate has been issued, the attending practitioner shall review whether the order is still appropriate in light of the patient's condition each time he or she examines the patient, whether in the hospital or elsewhere, but at least every ninety days, provided that the review need not occur more than once every seven days. The attending practitioner shall record the review in the patient's medical record provided, however, that a physician assistant or a registered nurse, other than the attending nurse practitioner, who provides direct care to the patient may record the review in the medical record at the direction of the physician. In such case, the attending practitioner shall include a confirmation of the review in the patient's medical record within fourteen days of such review. Failure to comply with this subdivision shall not render a nonhospital order not to resuscitate ineffective.

5. A person who has consented to a nonhospital order not to resuscitate may at any time revoke his or her consent to the order by any act evidencing a specific intent to revoke such consent. Any health care professional, other than the attending practitioner, informed of a

revocation of consent to a nonhospital order not to resuscitate shall notify the attending practitioner of the revocation. An attending practitioner who is informed that a nonhospital order not to resuscitate has been revoked shall record the revocation in the patient's medical record, cancel the order and make diligent efforts to retrieve the form issuing the order, and the standard bracelet, if any.

6. The commissioner may authorize the use of one or more alternative forms for issuing a nonhospital order not to resuscitate (in place of the standard form prescribed by the commissioner under subdivision two of this section). Such alternative form or forms may also be used to issue a non-hospital do not intubate order. Any such alternative forms intended for use for persons with developmental disabilities or persons with mental illness who are incapable of making their own health care decisions or who have a guardian of the person appointed pursuant to article eighty-one of the mental hygiene law or article seventeen-A of the surrogate's court procedure act must also be approved by the commissioner of developmental disabilities or the commissioner of mental health, as appropriate. An alternative form under this subdivision shall otherwise conform with applicable federal and state law. This subdivision does not limit, restrict or impair the use of an alternative form for issuing an order not to resuscitate in a general hospital or residential health care facility under article twenty-eight of this chapter or a hospital under subdivision ten of section 1.03 of the mental hygiene law or a facility certified or operated by the office for people with developmental disabilities.