

**Title 20. Public Health and Welfare**

**Chapter I. Generally, Department of Health**

**Subchapter C. Medical Trauma and Emergencies**

**Part 82. Rules Pertaining to Emergency Medical Services, Do Not Resuscitate**

**Codification Notes.** This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"SECTION I. AUTHORITY

The following Rules Pertaining to Emergency Medical Services are duly adopted and promulgated by the Arkansas State Board of Health pursuant to the authority expressly conferred by Act 1101 of 1993 (Ark. Code Ann. § 20-13-901 et seq.) and the laws of the State of Arkansas including without limitation, Act 96 of 1913 (Ark. Code Ann. § 20-7-109)"

"SECTION IV. REPEAL

4.1 All Rules and parts of Rules in conflict herewith are hereby repealed.

SECTION V. CERTIFICATION

This will certify that the foregoing Rules for Emergency Medical Services Do Not Resuscitate were adopted by the Arkansas Board of Health at a regular session of said Board held in Little Rock, Arkansas on the Twenty-eighth day of July, 2005.

Paul K. Halverson, DrPH  
Director, Division of Health

The forgoing Rules, copy having been filed in my office, are hereby approved on this day of , 2005.

Mike Huckabee  
Governor"

## **Subpart 1. Generally**

### **20 CAR § 82-101. Definitions.**

The following words and terms, when used in this part, shall have the following meaning unless the context clearly indicates otherwise:

(1) "Ambulance service" means those services authorized and licensed by the Department of Health to provide care and transportation of patients upon the streets and highways of Arkansas;

(2) "Attending physician" means the physician who has the primary responsibility for the treatment and care of the patient;

(3) "Board" means the State Board of Health;

(4) "Cardiac arrest" means the cessation of a functional heartbeat;

(5) "Cardiopulmonary resuscitation" means medical procedures including:

(A) Cardiac compression;

(B) Endotracheal intubation and other advanced airway management;

(C) Artificial ventilation;

(D) Defibrillation;

(E) Administration of cardiac resuscitation medications; and

(F) Related procedures;

(6) "Department" means the Department of Health;

(7) "Emergency medical services (EMS)" means the:

(A) Transportation and medical care provided to the ill or injured prior to arrival at a medical facility by a certified emergency medical technician (EMT) or other healthcare provider; and

(B) Continuation of the initial emergency care within a medical facility subject to the approval of the medical staff and governing board of that facility;

(8) "Emergency Medical Services, Do Not Resuscitate Order (EMS/DNR Order)" means a written physician's order in a form consistent with 20 CAR § 82-102, which authorizes emergency medical services personnel to withhold or withdraw cardiopulmonary resuscitation from a particular patient in the event of cardiac or respiratory arrest;

(9) "Emergency Medical Services, Do Not Resuscitate (EMS/DNR) Order Implementation Protocol" means a set of instructions developed by the emergency medical service provider to respond to emergency medical needs and approved by the medical director of the emergency medical services provider;

(10) "Emergency medical services personnel (EMS personnel)" means paid or volunteer firefighters, law enforcement officers, first responders, emergency medical technicians, or other emergency personnel acting within the ordinary course of their professions;

(11) "EMS/DNR Order form" means a document as approved by the State Board of Health, or one (1) created or used by a physician that is consistent with this part;

(12) "Healthcare proxy" is a person eighteen (18) years old or older appointed by the patient as attorney-in-fact to make healthcare decisions, including the withholding or withdrawal of life-sustaining treatment if a qualified patient, in the opinion of the attending physician, is permanently unconscious, incompetent, or otherwise mentally or physically incapable of communication, as specified in Arkansas Code § 20-17-201(4);

(13) "No Code" or "DNR" means an instruction or order to withhold cardiopulmonary resuscitation (cardiac compression, endotracheal intubation, and other advanced airway management, artificial ventilation, defibrillation, administration of cardiac resuscitation medications, and related procedures) from the patient in the event of the patient's cardiac or respiratory arrest;

(14) "Respiratory arrest" means cessation of breathing; and

(15) "Secretary" means the Secretary of the Department of Health.

**Authority.** Arkansas Code § 20-13-906.

**20 CAR § 82-102. Requirements and provisions for the Emergency Medical Services Do Not Resuscitate Order form.**

(a) The EMS/DNR Order form shall be a document as approved by the State Board of Health, or one (1) created or used by a physician that is consistent with this part.

(b) The following requirements and provisions shall apply to any EMS/DNR order form:

(1) **Content of the form.** A valid EMS/DNR Order form shall include the:

(A) Words "DNR" or "No Code," or similar language;

(B) Physician's signature; and

(C) Date;

(2) Copies of the EMS/DNR Order form may be given to other providers or persons for information;

(3) **Revocation of an EMS/DNR Order.** An EMS/DNR Order may be revoked at any time or in any manner by the named patient or patient's attending physician; and

(4) **Distribution of EMS/DNR Order form.**

(A) EMS/DNR forms approved by the board, with instructions, shall be available to physicians through local health department offices, local hospitals, ambulance services, and to private physicians, on request.

(B) Other distribution points may be approved by the Secretary of the Department of Health to meet identified needs.

**Authority.** Arkansas Code § 20-13-906.

**20 CAR § 82-104. Implementation procedure.**

(a) **Issuance of an EMS/DNR Order.** An EMS Do Not Resuscitate Order may only be issued by the patient's attending physician.

(b) **EMS Do Not Resuscitate implementation procedures.** Emergency medical services personnel shall comply with the EMS/DNR Order implementation protocols when responding to a patient who is:

(1) In cardiac or respiratory arrest; and

(2) Known to have an EMS/DNR Order in effect as approved by the Department of Health.

(c) **General considerations.** The following general principles shall apply to implementation of EMS Do Not Resuscitate Orders:

(1) If there is misunderstanding with family members or others present at the scene or if there are other concerns about following the EMS/DNR Orders, contact the attending physician or EMS medical control for guidance; and

(2) If there is any question about the validity of an EMS/DNR Order, resuscitate.

**Authority.** Arkansas Code § 20-13-906.

## **Appendix A. State of Arkansas Emergency Medical Services Do Not Resuscitate Order**

**Link:**

<https://CodeOfARRules.arkansas.gov/docs/CARCodeAppendices/Appendices/25/20CARpt.82Form.pdf>