

**From:** Mustapha Saheed  
**Sent:** Monday, June 30, 2014 2:42 PM  
**To:** EMD\_Clinical  
**Cc:** Lewis, Cynthia; Kate Pontone; Pat Sullivan; Pat Triplett  
**Subject:** Update: Legal Guardianship

Hello all,

We've had a recent incident, which revealed clear confusion about appropriate management of patients under Legal guardianship.

So few key pointers:

- **Legal Court-Appointed Guardianship** is when a patient has been determined by the Courts to not have "competence" and has an appointed guardian. Conceptually, it makes sense to think of the patient as a "minor" or for simplicity, a pediatric patient, in terms of capacity. (To be clear, this is a formal designation and different than the general "guardian" term that is used casually).
- Once a patient is identified to have a Legal Court-Appointed Guardian, we should...
  - Consult Social Work - they can be resources in confirming patient's status and engaging the legal guardian
  - Engage the Guardian for clinical updates, consent for procedures and related clinical care.
  - **NOT discharge the patient without the guardian** presenting to the ED to "sign" the patient out.
  - Sign-out the guardianship status to every member of the clinical team, including nursing/prescribers etc.

With EPIC it may be easier to flag these patients, but admittedly it's a challenge identifying these patients.

However, once it is apparent that the patient is in Legal Guardianship, then we should act as above.

If there are ANY questions about a patient's guardianship status, or who the legal guardian is, please consult Social Work - (during off hours there's a social work on-call) - to help with that confirmation.

Let me know if there are any further questions.

Cheers.