CINCINNATI BUSINESS COURIER

MY VIEW

A way to start the toughest discussion



Marilyn Maag is a partner in the law firm of Porter Wright Morris & Arthur and serves on the Ohio Honoring Wishes Task Force.

he recent death of Casey Kasem and reports of struggling among his family members over his end-of-life medical treatment remind all of us to find the courage to talk about the end of our lives. In June, H. B. 588 was introduced in the Ohio Legislature to make a new option available to help us do just that.

The proposed legislation authorizes Medical Orders for Life Sustaining Treatment in Ohio. MOLST is a process, not a document. The process is appropriate for those with serious illness or frailty, not for healthy adults. The MOLST process starts with a conversation between a physician and a patient about the patient's current medical condition and treatment options. It should be informative, exploratory, honest and should result in shared decision-making about the appropriate level of medical intervention and intensity of treatment. Decisions become actual medical orders signed by the physician. The MOLST form is not an advance directive; rather, it is medical orders addressing the patient's in-themoment medical condition and the treatment options currently available.

The plan is that when a patient decides to complete the form, the resulting medical orders will be part of the patient's records and will move with the patient to a different physician, hospital or nursing home, increasing the likelihood decisions will be known and followed.

I think the MOLST process and the form are important because of the structure they provide for conversations about end-of-life. Although we all know we will die at some point, talking directly about the end of our lives is challenging and intensely painful at times. For those who decide to talk about the end, this can help the patient and the family complete the discussion.

If the proposed legislation passes in Ohio, it will add to, not replace, current tools available to us for planning our end-of-life medical treatment. Ohio's existing laws and procedures with regard to the living will declaration and the power of attorney for health care will remain in place. Signing a power of attorney for health care could become more important than ever because the person designated as agent may participate in the MOLST process on the patient's behalf, if the patient loses the capacity to do so. All adults should consider signing a living will declaration and a power of attorney for health care. The MOLST process is an additional tool.

While the legislation likely will continue to be refined, the prospects for passage are bright.

The Greater Cincinnati community itself is poised to make dramatic progress toward the goal of transforming conversations about end-of-life. In 2013, Hospice of Cincinnati received a grant to fund a project titled "Transforming Conversations – A Provider and Community Model for Improving the Quality of End-of-Life Care." One component of this project is the creation of www.conversationsofalifetime.org, which is now available to guide families through the process of discussing end-of-life medical treatment.

Soon there will be more and more information available about Ohio's MOLST process and how to use it.