


PLAN OPERATIONS	 From DentaQuest		
	<i>Policy and Procedure</i>		
	Policy Name:	Advance Directives	Policy ID: PLANCG-02
	Approved By:	Quality Assurance and Performance Improvement Committee	Last Revision Date: 01/09/2025
	States:	Oregon	Last Review Date: 01/22/2025
	Application:	Medicaid	Effective Date: 01/22/2025

PURPOSE

To ensure the Dental Care Organization (DCO) provides adult enrollees with written information on Advance Directives and that Advance Directives received from enrollees or their representatives are housed in their patient file maintained by the provider appropriately.

POLICY

The CCO shall provide to mutual adult enrollees (18 years of age or older) with written information on Advance Directive policies and include a description of Oregon law. The written information provided by the CCO shall reflect changes in Oregon law as soon as possible, but no later than ninety (90) days after the effective date of any change to Oregon law. The CCO shall also provide written information to mutual adult enrollees with respect to the following:

1. Their rights under Oregon law; and
2. CCO's policies respecting the implementation of those rights, including a statement of any limitation regarding the implementation of Advance Directives as a matter of conscience.
3. Notice that complaints concerning noncompliance with the Advance Directive requirements may be filed with OHA and information on how to file such a complaint with OHA

The DCO and its contracted providers shall not condition the provision of care or otherwise discriminate against an enrollee based on whether or not the individual has executed an Advance Directive.

Additionally, the DCO shall:

1. Direct providers to information provided at Oregon Advance Directives when requested by the enrollee or their representative;
2. Ensure providers follow enrollee instructions in Advance Directives as they apply to dental care;
3. Not request Advance Directives from their enrollees;
4. Require DCO contracted providers who administer general anesthesia to enrollees 18 years of age or older, to do the following:
 - a. Ask the enrollee if they have an Advance Directive on file with their medical practitioner.
 - b. Note the enrollee's response in their chart.
 - c. Coordinate with the enrollee's medical provider to obtain documentation of the Advance Directive if one exists.

DEFINITIONS

“Advance Directive” means an individual’s instructions to an appointed person specifying actions to take in the event that the individual is no longer able to make decisions due to illness or incapacity.

REFERENCES

42 CFR §438.3(j)

42 CFR §422.128

42 CFR §489.102(a)(3)

42 CFR §489.100

OAR 410-120-0000 Acronyms and Definitions

Oregon Health Authority CCO Contract

Revision History

Date:	Description
06/18/2018	Approval and adoption.
04/23/2019	Updates based on annual review.
12/04/2019	Conversion to revised policy and procedure format and naming convention.
11/18/2020	Updates based on annual review.
10/23/2021	Updates based on annual review.
12/31/2022	Updates based on annual review.
3/28/2024	Updates based on annual review.
01/09/2025	Annual review