



**Justice Center for the
Protection of People
with Special Needs**

**Form Checklist for Major
Medical Treatment Decisions**

SDMC
401 State Street
Schenectady, NY 12305
Fax: 518 549-0460

Email: SDMC@justicecenter.ny.gov

INSTRUCTIONS:

- Please complete fillable forms, print the form and sign in black ink
- All SDMC forms must be completed and submitted with the required supporting documentation
- Single-sided pages ONLY; no staples
- Retain a copy for your records
- Please send by mail, secure email (sdmc@justicecenter.ny.gov), or by fax: (518)549-0460

For SDMC Use Only:

Always call SDMC at (518) 549-0328 to confirm receipt

Be sure to include all Declaration supporting documents fully completed:

SDMC Form 200 Declaration for Major Medical Treatment

SDMC Form 210 Certification on Capacity for Major Medical Treatment

SDMC Form 220-A Certification on Need for Major Medical Treatment

SDMC Form 220-B Related Medical Information for Major Medical Treatment

Please remember to include the following supplemental medical information related to the procedure:

Physician's consult, office notes, scripts, etc. supporting the medical procedure requested on Form 220-A

Reports for other diagnostic testing related to the procedure or treatment

Most recent Annual Physical Exam

Most current lab results

Most current EKG (if available)

Most current chest x-ray (if available)

Please contact SDMC with any questions at (518) 549-0328.



**Justice Center for the
Protection of People
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**Declaration for
Major Medical Treatment**

SDMC
401 State Street
Schenectady, NY 12305
Fax: 518-549-0460

Email: sdmc@justicecenter.ny.gov

INSTRUCTIONS:

- Please complete fillable form below, print the form and sign the attestation on page 7 in black ink.
- Submit by secure email (sdmc@justicecenter.ny.gov); fax (518) 549-0460 or mail. If mailing, single-sided pages only; no staples
- Please return all 4 SDMC declaration forms together to SDMC with the required supporting documentation
- Always call SDMC at (518) 549-0328 to confirm receipt in each case

For SDMC Use Only:

Part 1. Patient Information

Last Name:		First Name:	
Date of Birth:	Age:	Religion: <i>optional</i>	Sex: <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE
Street Address:			
City:		State:	Zip:
Phone: <small>Include area code</small>	Ext:	Fax: <small>Include area code</small>	Cell: <small>Include area code</small>

COUNTY of Patient's Residence:

Type of Residence				
Intermediate Care Facility	Family Care	Hospital Psychiatric Ward	Nursing Home	Assisted Living
Community Residence	Individualized Residential Alternative (IRA)	OMH-funded or -approved housing	Adult Home	Waiver
Development Center	Psychiatric Center	Other Services: _____		

Part 2. Proposed Major Medical Procedure or Treatment

What is the proposed procedure or treatment being sought on behalf of the patient?
(Refer to Part 4 on the SDMC Form 220-A Certification on Need for Major Medical Treatment)

Part 3. Biopsy

Will a biopsy be performed?	YES	NO	Possible Biopsy	Unknown
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Part 4. Anesthesia

What is the physician's anticipated method of anesthesia, if known?

Please see Part 7, page 2 on the Certification on Need for Major Medical Treatment (SDMC Form 220-A).

Unknown*	None	Local	IV Sedation or MAC	General Anesthesia
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**If unknown at this time, please consult with physician. This will be discussed at the hearing.*

Patient Last Name:

For SDMC Use Only:

The declarant identified in Part 5a below must also sign the attestation on page 7.

Part 5a. Declarant [Required] The declarant should be familiar with the patient and be able to speak to the issues of capacity, surrogacy and best interest for this specific case.			
Last Name:		First Name:	
Title:		Email Address:	
Agency Name: <small>(Please avoid abbreviations)</small>			
Work Mailing Address:			
City:		State:	Zip:
Phone: <small>Include area code</small>	Ext:	Fax: <small>Include area code</small>	Cell: <small>Include area code</small>
Part 5b. Alternate Declarant (Required) THIS CANNOT BE THE SAME PERSON LISTED ABOVE AS THE DECLARANT The alternate declarant will be contacted if the declarant is not available and should be familiar with the patient and be able to speak to the issues of capacity, surrogacy and best interests for this specific case.			
Last Name:		First Name:	
Title:		Email Address:	
Agency Name: <small>(Please avoid abbreviations)</small>			
Work Mailing Address:			
City:		State:	Zip:
Phone: <small>Include area code</small>	Ext:	Fax: <small>Include area code</small>	Cell: <small>Include area code</small>
Part 5c. Agency/Residential Nurse			
Last Name:		First Name:	
Title:		Email Address:	
Agency Name: <small>(Please avoid abbreviations)</small>			
Work Mailing Address:			
City:		State:	Zip:
Phone: <small>Include area code</small>	Ext:	Fax: <small>Include area code</small>	Cell: <small>Include area code</small>

Patient Last Name:

For SDMC Use Only:

Part 5d. Residential Manager | Family Care Liaison | Director of Nursing Home

Last Name:		First Name:	
Title:		Email Address:	
Agency Name: <small>(Please avoid abbreviations)</small>			
Work Mailing Address:			
City:		State:	Zip:
Phone: <small>Include area code</small>	Ext:	Fax: <small>Include area code</small>	Cell: <small>Include area code</small>

Part 5e. Care Manager | Care Coordinator | Social Worker | Service Coordinator

Last Name:		First Name:	
Title:		Email Address:	
Agency Name: <small>(Please avoid abbreviations)</small>			
Work Mailing Address:			
City:		State:	Zip:
Phone: <small>Include area code</small>	Ext:	Fax: <small>Include area code</small>	Cell: <small>Include area code</small>

Part 5f. Hospice Contact **Not Applicable**

Last Name:		First Name:	
Title:		Email Address:	
Hospice Name and Mailing Address:			
City:		State:	Zip:
Phone: <small>Include area code</small>	Ext:	Fax: <small>Include area code</small>	Cell: <small>Include area code</small>

Part 5g. Hospital | Nursing Home Contact (Case Manager, Social Worker, Discharge Planner) NA

Provide the following information if the patient has been transferred to a hospital, rehabilitation center or nursing home

Last Name:		First Name:	
Title:		Email Address:	
Hospital Nursing Home Name:			
Hospital/Nursing Home Street Address:			

The hospital/nursing home contact person identified above will be asked to assist in obtaining medical information relevant to the case and also to reserve a room for the hearing at the hospital or nursing home. *(continued on next page)*

Patient Last Name:

For SDMC Use Only:

Hospital or Nursing Home Contact Information, cont'd:

City: State: Zip:
Phone: Ext: Fax: Cell:
Pager: Patient's Room Number:

Part 6. Other Agencies Providing Services for the Patient
Please list any other agencies providing services for the patient if not previously listed on this declaration:(i.e. day program- Not Medical Services or Clinics)

Part 7a. Legally Authorized Surrogates
Provide the following information for known surrogates.
Status of the patient's mother: Living (list below in 7b) Deceased Whereabouts Unknown
Status of the patient's father: Living (list below in 7b) Deceased Whereabouts Unknown

If Patient has any possible surrogates, please list in 7b below:
Possible Surrogates: Parent Sibling Adult Child
Health Care Proxy Spouse Other family member per OPWDD or OMH regulations (see below)
Guardian

For current or former OPWDD patients ONLY:
Are there any actively involved adult family members who have a significant and on-going relationship with the patient enough to know the care needs of the patient? YES NO N/A

For OMH/OASAS patients ONLY:
Is there a legally authorized surrogate? This includes a parent, spouse or adult child of the patient. YES NO N/A

7b. Please identify the possible surrogate and provide information to explain why the surrogate does not wish or is not able to make the decision:
(attach additional page if needed)

Last Name: First Name: Relationship:
Mailing Address:
Email Address: Phone:
(Include area code)

Please indicate if the surrogate has a known opinion regarding the proposed treatment:
Unknown opinion Does not wish to make the decision Agrees Disagrees

When (date) and how (phone, mail, email, etc.) was the surrogate last contacted?

If attempts to contact the surrogate were unsuccessful, please describe the attempts made and approximate date(s) and method of contact:

Please attach an additional page if there are additional surrogates.

Patient Last Name:

For SDMC Use Only:

Part 8a. Correspondent, Community Advocate or Family Care Provider

A Correspondent is a person who has demonstrated a genuine interest in promoting the best interests of the patient by having a personal relationship with the patient, by participating in the patient's care and treatment or by regularly communicating with the patient [Mental Hygiene Law 80.03(k)]:

Last Name:		First Name:	
Email Address:		Relationship:	
Mailing Address:			
City:		State:	Zip:
Phone: <small>Include area code</small>	Ext:	Fax:	Cell:

Indicate if the correspondent has an opinion on the proposed treatment.

Agree
 Disagree
 Unknown

How was the correspondent last contacted? Phone Mail Email In Person

Attempts to contact the correspondent on the following date(s) were unsuccessful (*include details*):

Part 8b. Other Correspondents, Community Advocates or Family Care Provider(s):

(attach additional page if needed)

Last Name:		First Name:	
Email Address:		Relationship:	
Mailing Address:			
City:		State:	Zip:
Phone:	Fax:	Cell:	

Please indicate if the correspondent has an opinion on the proposed treatment:

Agree
 Disagree
 Unknown

How was the correspondent last contacted? Phone Mail Email In Person

Attempts to contact the correspondent on the following date(s) were unsuccessful (*include method of contact*):

Patient Last Name:

For SDMC Use Only:

This form must be dated the same or later than the other forms in this case.

This includes the:

- Certification on Capacity for Major Medical Treatment (SDMC Form 210);
- Certification on Need for Major Medical Treatment (SDMC Form 220-A);
- Related Medical Information for Major Medical Treatment (SDMC Form 220-B).

Part 9a. Supporting Documentation Review [REQUIRED]

As the Declarant, I have read the Certification on Capacity for Major Medical Treatment (SDMC Form 210) that has been completed by a NYS Licensed Psychiatrist or NYS Licensed Psychologist.

Yes

Part 9b. Supporting Documentation Review [REQUIRED]

As the Declarant, I have read the Certification on Need for Major Medical Treatment (SDMC Form 220-A) that has been completed by a Physician | Dentist | Podiatrist. (Circle One)

Yes

Part 10. Additional Information Required:

List the **TITLE** (i.e. Dr., RN, Care Coordinator) of the person who explained the proposed major medical treatment(s) to the patient:

Describe the patient's reaction, if any, when the treatment(s) was/were explained, and any opinions expressed:

Based on your personal knowledge of this patient, explain in your own words why the patient cannot give informed consent for this procedure:

Based on your personal knowledge of this patient, explain in your own words why you believe the proposed treatment(s) is/are in the best interest of the patient:

Part 11. Communication Needs:

Does the patient understand English?

Yes No

Does the patient speak English as their primary language?

Yes No

Patient is nonverbal*

*If the patient is nonverbal, or has limited expressive language, how does the patient communicate his/her needs?

If the patient is a non-English speaker, please indicate his/her primary language: _____

Does the patient use an interpreter for sign language or for a language other than English? Yes No

*If YES, please indicate the **type** of interpreter needed (language, ASL): _____

If the patient uses a communication board or other assistive device, the communication device **must** be brought to the hearing

Part 12. The SDMC Hearing *MHL Article 80 requires the patient to be present at the hearing, if able.*

Is there a medical condition that would prevent the patient from attending the hearing? Yes No

If yes, please description below. Alternative arrangements for the panel to meet with the patient will be made.

Part 13. Attestation by the Declarant

The information and statements which I have provided are truthful and accurate to the best of my knowledge.

SIGNATURE of the Declarant: _____

Date: ____ / ____ / ____

(Declarant is listed under Part 5a; page 2 of 7)

MM/DD/YYYY

This attestation must be signed by the declarant and dated AFTER all other supporting documents have been reviewed by the declarant.



INSTRUCTIONS:

- Please complete fillable form below, print the form and sign in black ink.
All parts of this form must be completed and returned to the declarant to be submitted with all declaration forms.
Part 3- Must be signed and dated by the clinician completing the evaluation.
Part 4- If the Capacity Evaluation was not completed by a NYS Licensed Psychologist or Psychiatrist, then Part 4 must be reviewed and co-signed by a NYS Licensed Psychologist or Psychiatrist.

For SDMC Use Only:

Part 1. Patient Information

Form fields for Patient Information: Last Name, First Name, Agency where Patient Resides or Receives Services, Phone, Ext, Fax.

Part 2. Clinician

If the evaluation is being performed by anyone other than a NYS licensed psychologist or psychiatrist, then Part 4 must be co-signed by a NYS licensed psychologist or psychiatrist.

Form fields for Clinician: Last Name, First Name, Email Address, Business Mailing Address, City, State, Zip, Phone, Ext, Fax, Cell.

Type of Clinician: NYS-Licensed Psychiatrist, NYS-Licensed Psychologist, Other (specify). Professional License Number.

Date of Examination of Patient | Review of Record:

Questions a and b regarding diagnosis and psychological testing results.

Patient Last Name: _____

For SDMC Use Only:

c. Summarize the clinical evaluation, including the patient's reaction, when you explained the proposed major medical treatment(s) and its risks and benefits, which supports your determination regarding the patient's decision making ability.

Part 3. Attestation Signed by the clinician that completed this Capacity Evaluation-

If evaluator is not a NYS Licensed Psychologist or Psychiatrist, Part 4 must be cosigned by a NYS licensed psychologist or psychiatrist below.

Professional License Number: _____

Clinician Type: NYS-Licensed Psychiatrist NYS-Licensed Psychologist Other
(specify): _____
If "other" is indicated, the attestation must be cosigned by a NYS- Licensed psychiatrist or psychologist.

It is my clinical opinion that the patient:

DOES have the capacity to make an informed decision regarding this major medical procedure/treatment.

DOES NOT have the capacity to make an informed decision regarding this major medical procedure/treatment.

The information and statements which I have provided are truthful and accurate to the best of my knowledge.

Signature of clinician completing the evaluation

_____/_____/_____
Date: MM/DD/YEAR

Part 4. Co-signer Attestation

Required if the evaluation was performed by a clinician other than a New York State Licensed Psychiatrist or Psychologist.

Last Name: _____

First Name: _____

Please Indicate Co-signer's License Information:

NYS-Licensed Psychiatrist NYS-Licensed Psychologist Professional License Number: _____

I concur with the above clinical evaluation.

The information and statements are accurate and truthful to the best of my knowledge.

Signature of the NYS Licensed Psychologist or Psychiatrist reviewing the Evaluation

_____/_____/_____
Date of Review
MM / DD / YEAR



INSTRUCTIONS:

- Please complete fillable form below, print the form and sign in black ink. All parts of this form must be completed and returned to the declarant to be submitted together with all declaration forms. Part 10 - Physician must complete, sign and date where indicated. Part 11 - Co-signature required if Parts 3-10 are completed by a clinician other than a physician, dentist, or podiatrist

For SDMC Use Only:

Part 1. Is an Expedited Review necessary? Is the proposed treatment of an urgent need that is expected to be performed within 10 days. YES* NO

If YES*, please identify the acute medical diagnosis and or current medical condition to support the expedited request:

Part 2. Patient Information Last Name: First Name: Agency where the Patient Resides or Receives Services: Phone: Ext: Fax:

Part 3. Physician/Dentist/Podiatrist Please Print Last Name: First Name: Professional License Number: Business Address: City: State: Zip: Phone: Ext: Fax: Cell:

Part 4. Proposed Major Medical Procedure or Treatment Date of Review or Examination of Patient: MM DD YEAR

I request informed consent for the following medical treatment(s) and/or procedure(s): Please include the medical procedure(s) and/or treatment(s) with the specific wording the physician would like on the consent

Patient Last Name:

For SDMC Use Only:

Part 5. Biopsy

Do you anticipate performing a biopsy?	YES - Type: _____	POSSIBLE BIOPSY
	No	UNKNOWN

Part 6. Request

a. The following diagnostic tests/examinations have been performed to confirm my recommendation(s).
Please include copies of reports.

b. Clinical indications for the requested proposed major medical treatment(s):

c. In my clinical opinion, the risks specific to this proposed major medical treatment(s) is/are:

d. In my clinical opinion, the benefits specific to this proposed major medical treatment(s) is/are:

Part 7. Anesthesia

Please indicate the anticipated form of anesthesia to be used for the procedure or treatment:

IV Sedation	None or N/A
Monitored Anesthesia Care (MAC)	General Anesthesia <i>(The patient will be unconscious and intubated during the treatment)</i>
Local Anesthesia or Novocaine	

When the treatment plan does not include general anesthesia, if on the day of the proposed major medical treatment(s) the use of general anesthesia becomes necessary, Public Health Law Section 2805-d provides for the disclosure of reasonably foreseeable risks.

Common/severe complications of general anesthesia include: hoarseness, nausea, sore throat, broken teeth, tracheal or esophageal injuries, respiratory distress, cardiac failure and death. (Source: American Society of Anesthesiologists)

❖ Surrogate Decision-Making consent is conditioned upon a current preoperative screening in accordance with sound medical practice to determine the suitability of the patient to withstand the major medical procedure and the recommended form of anesthesia on the day of the procedure.

Part 8. Alternative Procedures

<ul style="list-style-type: none"> Is there an alternate procedure that is less invasive available to this patient? *If YES, please note the procedure(s) below. 	YES*	NO
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Patient Last Name:

For SDMC Use Only:

Please explain the rejection of this alternative procedure.

Part 9. Risks

What are the risks of non-treatment?

Part 10. Attestation of the Health Care Provider Who Completed the Evaluation*

The above information and statements are accurate and truthful to the best of my knowledge.

_____	Date:	/	/	_____
Signature of Health Care Provider		MM	DD	YEAR

**If the medical certification has not been completed by a licensed physician or dentist, this attestation must be co-signed below.*

Part 11. Co-signer Attestation

If the evaluation has been performed by OTHER than a licensed physician, dentist or podiatrist, this form must be CO-SIGNED below.

Print Last Name: Check all that apply: <input type="checkbox"/> Licensed Physician <input type="checkbox"/> Licensed Dentist <input type="checkbox"/> Licensed Podiatrist	Print First Name: Professional License Number:
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I concur with the above clinical evaluation. The information and statements are accurate and truthful to the best of my knowledge.

_____	Date:	/	/	_____
Signature of the Co-signing Licensed Physician/Dentist/Podiatrist:		MM	DD	YEAR

- Please note, the name of the licensed physician, dentist, or podiatrist who signs the 220-A will be listed on the SDMC consent. The SDMC consent is not restricted to that health care provider. Mental Hygiene Law § 80.07(f) provides:
If the panel determination consents to such treatment, such consent shall constitute legally valid consent to such treatment in the same manner and to the same extent as if the patient were able to consent to or refuse such treatment on his or her own behalf.



**Justice Center for the
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with Special Needs**

**Related Medical Information
For Major Medical Treatment**

SDMC
401 State Street
Schenectady, NY 12305
SDMC: (518) 549-0328
sdmc@justicecenter.ny.gov

INSTRUCTIONS:

- Please complete the fillable form below, print the form and sign in black ink. All parts of this form must be completed and returned to the declarant to be submitted with all declaration forms.
- **Please remember to attach:** consults, progress notes, latest annual physical exam, results of diagnostic tests and other documentation related to the proposed major medical treatment(s) being requested
- Always call SDMC at (518) 549-0328 to confirm receipt

For SDMC Use Only:

Part 1. Patient Information

Last Name:	First Name:
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Part 2. Current Medications

a. Provide information pertaining to the patient's current medications. *(may attach a list of medications)*

Current medication	Dosage	Frequency	Mode of Intake

b. List any drugs requiring frequent blood level monitoring. Include a copy of the most recent lab work.

Part 3. Allergies

Any known allergies?

Patient Last Name:

For SDMC Use Only:

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Part 4. Exams and Tests	
a. Date of most recent annual physical examination. <i>Please include a copy of the most recent physical.</i> Date: _____	
b. List any current abnormal test or exam results related to the requested procedure:	N/A
c. Date of most recent EKG. <i>Please include a copy if available.</i> Date: _____	N/A
d. Date of most recent chest x-ray. <i>Please include a copy if available.</i> Date: _____	N/A
e. Date of most recent laboratory tests. Include a copy of the most recent lab work. Date: _____	
Part 5. Additional Information	
a. List any cardiac or pulmonary condition(s):	N/A
b. List any major illness, surgery, and/or hospitalizations in the last year:	N/A
c. List any other known physical conditions or medical diagnoses:	N/A
Part 6. General Anesthesia	
Has the patient had general anesthesia before? <i>(Intravenous sedation and monitored anesthesia care are not considered general anesthesia for SDMC cases.)</i>	
<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Unknown

Patient Last Name:

For SDMC Use Only:

Part 7. Consent Period Requested

7. Is the requested procedure(s) scheduled? Yes Scheduled on: _____ No

Length of Time Requested on the Consent: 60 days* 90 days (see below) 120 days (see below) 180 days (see below) 365 days (see below)

*The standard SDMC consent expires in 60 (sixty) days.

If a consent period longer than 60 days is needed, please indicate the reason for the request:

Medical Need for longer consent - patient will need long-term treatment or multiple treatments/procedures on this request

Scheduling- A longer consent is requested in order to accommodate 60+ days needed to obtain an appointment or complete the procedure/treatment

Other:

Part 8. Prior SDMC Review or Previous Decision-Maker

Has the patient been previously reviewed by SDMC? YES NO* Unknown

*If the patient has not come to SDMC for Consent before, who previously provided consent? (if known)

Part 9. Form Submitter's Contact Information

Please Print Last Name: _____ Please Print First Name: _____

Email Address: _____

Agency Name: (Please avoid abbreviations) _____

Workplace Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Ext: _____ Fax: _____ Cell: _____
Include area code Include area code Include area code

Part 10. Attestation

The above information and statements are given to the best of my knowledge, truthful and accurate.

Signature of Person Submitting the Form: _____ Date: _____ / _____ / _____
MM DD YEAR

PLEASE REMEMBER TO ATTACH

Documentation related to the proposed major medical treatment(s) being requested:

- Consults
- Annual Physical Exam
- Progress notes
- Results of diagnostic tests related to medical request