

Position Statement - Patients Scheduled for Elective Procedures Who Refuse COVID-19 Testing

For the care and safety of our patients, visitors, and staff, Duke Health providers will not schedule, or will cancel, elective procedures for patients who refuse pre-procedural COVID-19 testing. The following information provides guidance for the Duke Health provider faced with this scenario.

- This statement applies only to elective procedures. It does not apply to any clinically urgent or emergent procedures. For challenging cases where this judgment may not be straightforward, consult your department physician leader and facility CMO.
- Incapacitated patients can neither consent to nor refuse testing or other care. If a patient is determined to lack healthcare decision-making capacity, information about the required testing should be provided to the patient's authorized surrogate healthcare decisionmaker. Questions regarding authorized healthcare surrogates should be directed to Risk Management.
- Provide an explanation to the patient/ surrogate as to why COVID-19 testing is required, as well as the risks and consequences of refusal. A letter of explanation has been created (available in COVID resources) for this purpose, may be used as a conversation guide, and should be provided with your explanation.
- Provide appropriate treatment options as an alternative to the procedure to the patient/surrogate, including any associated risks and benefits of those options. Examples would include postponing the procedure until a time when COVID-19 testing is no longer required, suggesting that the patient discuss the situation with the referring physician, or addressing concerns with his/her primary care physician.
- If the above steps are taken and the patient (or surrogate) continues to refuse testing, contact the appropriate persons in your division/department who can cancel the procedure in EPIC.
- Document all of the following in progress notes and where otherwise required in Maestro:
 - the patient (or surrogate) refusal;
 - your explanation of testing and associated risks and consequences of refusal;
 - your provision of the letter;
 - your explanation of alternative treatment options and associated risks and benefits;
 - a statement that the patient/surrogate understood the information discussed with him/her;
 - the patient's/surrogate's response to the above; and
 - subsequent procedure cancellation.