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# What is MOLST and Do I Need It?

**January 12, 2016**

## A BRIEF SUMMARY OF CONNECTICUT'S PILOT PROGRAM

You may have heard about Connecticut's pilot program for Medical Orders for Life-Sustaining Treatment ("MOLST") and wondered what it is and whether it impacts your estate plan. Similar programs, such as Physician Orders for Life-Sustaining Treatment ("POLST"), exist in neighboring states such as New York and Massachusetts.

### What is MOLST?

A MOLST is a medical order that gives you control over your own end-of-life care, similar to your Health Care Instructions (sometimes called an Advanced Health Care Directive or Living Will). Unlike your Health Care Instructions, however, a MOLST specifies exactly what kind of treatment you do or do not want when you are suffering from a serious, life-limiting illness or terminal condition. A MOLST is not drafted by your estate planning attorney, but rather it is a medical order—like a prescription—that is signed by your doctor. The MOLST form itself is a lime green document meant to be kept with you or hung on your refrigerator where Emergency Medical Services ("EMS") can easily find it.

### How is MOLST Different from my Health Care Instructions?

A well-rounded estate plan includes documents to help plan for your incapacity and illness, such as Health Care Instructions (also referred to as Advanced Health Care Directives or Living Wills). The MOLST form adds clarity to your Health Care Instructions by specifying exactly what kind of treatment you do and do not want. The MOLST form addresses treatment beyond cardiopulmonary resuscitation ("CPR"), including intubation and artificial nutrition. Most significantly, the MOLST allows patients to provide instructions for EMS; currently, EMS only recognize Do Not Resuscitate ("DNR") orders which may not go into as much detail as the MOLST form.

### Do I Need a MOLST?

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**pullcom.com**  @pullmancomley

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The MOLST program is a voluntary program for individuals facing terminal illness or other serious progressive conditions. Unfortunately, MOLST is currently only a pilot program so most people in Connecticut are ineligible. Currently, if you are not in the Windham or Greater Hartford area, there are limitations on what the MOLST form can do for you. If you live in the Windham and Greater Hartford areas, then the MOLST form will be effective at the hospitals and nursing homes that have joined the pilot program, and will be followed by EMS who have been trained to recognize the MOLST form. However, even if you are not in a MOLST pilot program area, your medical team and loved ones may still refer to your MOLST form to help determine your wishes if you are unable to communicate them.

### What Can I Do Now?

Estate planning is not just about minimizing taxes when you die; estate planning can help minimize the emotional burden on your loved ones. Eventually, the MOLST program, if enacted, will help by making your wishes clear for end-of-life treatment. In the meantime, there are other resources you can turn to in order to aide your loved ones in making end-of-life decisions for you, such as The Conversation Project [<http://theconversationproject.org>].

What you can do now, however, is make sure your Health Care Instructions are up to date and appoint a Health Care Representative. Under the MOLST program as anticipated, your Health Care Representative will be able to fill out a MOLST form on your behalf. If you do not designate a Health Care Representative, your spouse, children, and next of kin will not be able to fill out a MOLST form on your behalf and may be powerless to prevent the use of painful life-sustaining treatments that you prefer not to receive. You should also talk to your loved ones to make sure they have the appropriate documents in place and clarify their end-of-life treatment preferences so that you can communicate those wishes if it becomes necessary. If you have any questions about what documents you or your loved ones need to make end-of-life decision making as painless as possible, contact your estate planning attorney for advice.

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*Kelly F. O'Donnell is an attorney in the Trusts & Estates Department at Pullman & Comley, LLC. Copyright 2016 Pullman & Comley, LLC. All Rights Reserved.*

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