

Fact Sheet 2:

“Do Not Resuscitate” (DNR) orders



A competent consumer may refuse medical treatment, even if the treatment would be in his or her best interests. Section 11 of the New Zealand Bill of Rights Act 1990 sets out this fundamental right as follows: “Everyone has the right to refuse to undergo any medical treatment.” Right 7(7) of the Code also states that “every consumer has the right to refuse services and to withdraw consent to services”.

A competent consumer may make oral or written decisions about services to be provided in the future, including decisions refusing services. These decisions about future services and treatment are called advance directives.

Advance directives will apply only if the consumer is incompetent to consent to services at the time they are provided. (See “*Fact Sheet 1 – “Consent for consumers who are not competent”*”). A “Do Not Resuscitate” (DNR) order made by a competent consumer is an advance directive refusing services in the future.

What is a DNR order?

In a DNR order, a competent consumer directs that, should he or she suffer a medical event that requires cardiopulmonary resuscitation (CPR), he or she does not wish CPR to be provided.¹

A valid DNR order is legally binding and, where one is in place, resuscitation should not be provided. It is important to note that resuscitation includes more interventions than CPR, and consumers should specify what aspects of resuscitation (if any) they want to receive.

If the consumer was competent at the time the DNR order was made, there is no obligation to consult with family about its contents. The views of family members about any type of valid advance directive are not binding.

Clinician-initiated DNR orders

In cases where a consumer is already incompetent but has not made an advance directive refusing future CPR, the decision about resuscitation is a medical issue for the clinician responsible for the consumer’s care. A clinician may decide that resuscitation is not clinically appropriate for a consumer.

¹ CPR is an emergency procedure used to maintain circulation of the blood when the heart has stopped pumping on its own, and is aimed at preventing death or brain death due to lack of oxygen.

When a clinician has decided that resuscitation for an incompetent consumer is not clinically appropriate, it should not be provided. This is part of the consumer's care plan, but it is not an advance directive. Again, the views of family members are not binding.

Note: *This information is for educational purposes only, and is not for the purpose of providing legal advice. If you need advice on a specific problem or issue, we recommend that you obtain legal advice.*