

**WAC 246-978-040 Qualifications of witness in a long-term care facility.** When a patient makes a written request for medication under the act, they must have at least two witnesses who, in the presence of the patient, attest that to the best of their knowledge and belief the patient is competent, acting voluntarily, and is not being coerced to sign the request. The patient's attending physician at the time the request is signed may not be a witness.

If the patient is a patient in a long-term care facility at the time the written request is made, one of the witnesses must be designated by the long-term care facility. The witness designated by the long-term care facility may be, but is not limited to, an ombudsman, chaplain, or social worker. The witness designated by the long-term care facility may not be:

- (1) A relative of the patient by blood, marriage, or adoption;
- (2) A person who at the time the request is signed would be entitled to any portion of the estate of the qualified patient upon death under any will or by operation of law; or
- (3) An owner, operator, or employee of a long-term care facility where the qualified patient is receiving medical treatment or is a resident.

[Statutory Authority: Chapter 70.245 RCW. WSR 09-06-010, § 246-978-040, filed 2/20/09, effective 3/5/09.]