

JOB AID: Legal Blood Collection

Whether to Draw Blood or Not:

1. The Law Enforcement Officer (LEO) presents with a request or warrant for collection of blood.
2. Does the patient consent?
  - a. Yes :
    - i. Proceed with the collection process and
    - ii. Properly label and package the blood (following the package insert) for the LEO to transport for testing.
  - b. No:
    - i. It is the policy of WellStar Health System that our staff will not collect blood without the patient's consent.
  - c. Patient has Altered Mental Status and/or Unconscious:
    - i. It is the policy that WellStar staff will not collect the blood without the patient's knowing consent.
3. Law Enforcement brings someone to collect the legal blood from a patient who does not consent.
  - a. The staff will not assist in the process,
  - b. The patient's Provider is notified that the patient is having a legal blood draw without patient's consent.
  - c. RN responsible for the patient will observe and ensure the safety of the patient.

4. If the patient does not consent and LEO brings someone to collect the specimen with a search warrant.
  - a. Security is to be notified immediately.
  - b. WellStar Security Officer and the patient's RN will observe the collection.
  - c. The patient's Provider is notified that the patient is having a legal blood draw without patient's consent.
  - d. Risk Management On-Call is to be requested to notify Chief of Security (Kirk Walsh) and Legal (Bruce Dean).

#### Process for Legal Blood Alcohol Collection

1. In the ED Law Enforcement makes the request of the patient's nurse and, if the patient consents, following the above guidance, the nurse or phlebotomist will collect the patient's blood following the instructions for legal blood alcohol draw and give the specimen to the LEO for testing. The LEO is responsible for chain of custody and transport for testing.
2. For an inpatient with consent
  - a. LEO is to present to Security and
  - b. Security will notify phlebotomy of a legal blood draw
  - c. Security will escort LEO to the bedside for the collection of the blood specimen.
  - d. If the patient consents to the blood draw, the phlebotomist will collect the specimen and the patient's RN will observe the collection with the LEO officer
  - e. LEO will maintain chain of custody of the specimen and transport blood for testing.