



**Traffic Accident - Blood Draw
Specialty Protocol**

Medical Director: Benjamin Oei, MD.

Austin County EMS Protocol & Guidelines	
Version	1.0
Date	10/2017

1. Wearing the proper PPE, clean the center area at the xiphoid using proper cleaning technique.
2. Using an appropriate sized intra-cardiac needle attached to a 20cc or 30cc syringe, enter the pleural cavity using a sub-xiphoid approach. Enter the chest under the right corner of the xiphoid with the needle pointed downward, at an angle toward the center of the decedent's scapula. Pull back gently on the plunger, aspirating air until the pericardium is entered. Advance the needle slightly into the ventricle of the heart. Elevating the decedent's legs if possible to get an adequate blood volume into the heart may be necessary.
3. Aspirate approximately 20cc's of non-clotting blood into the syringe. Withdraw the needle and syringe.
4. While maintaining sterile technique, remove the intra-cardiac hypodermic needle and replace with a smaller (18 - 20 gauge) hypodermic needle for safety, and inject the Vacutainer blood tube(s) provided by the Law Enforcement Officer or Justice of the Peace.
5. Immediately hand over the blood samples to the appropriate investigating Law Enforcement Officer or Justice of the Peace who will establish an evidence chain of custody.
6. Properly dispose of contaminated sharps and equipment.
7. The signed form by the Justice of the Peace (located on 2nd page) is required to be attached to the patient care report.

Notes:

In no circumstance, will the procedure of blood draw on a traffic fatality delay the necessary emergency treatment and transportation of living patients on the scene.

It may become necessary to transport the patients to the hospital and return to the scene, or another in-service unit responds to the scene to complete this procedure; if questions arise, contact an EMS Supervisor.

Appropriate judgment and discretion must be employed when doing this procedure. This may be viewed as an inappropriate procedure if the decedent is in clear view or in the presence of family members. Consult with the investigating Law Enforcement Officer or Justice of the Peace. It may become necessary for the EMS provider meet the decedent at the funeral home facility before the blood draw can be tactfully completed. Contact an EMS Supervisor if problems arise for a clear consult.

This Standing Delegation and Judicial Order is in place for traffic fatalities only. The Justice of the Peace will make the request for this procedure. The Justice of the Peace may defer this procedure if an autopsy and/or criminal investigation is initiated.

Medical Director Austin County EMS
Benjamin Oei M.D.



**Traffic Accident - Blood Draw
Specialty Protocol**

Austin County
EMS Protocol & Guidelines

Medical Director: Benjamin Oei, MD.

Version	1.0
Date	10/2017

Section 49 .1 O(j) of the Texas Code of Criminal Procedure states, (j) A justice of the peace may order a physician, qualified technician, paramedic, chemist, registered professional nurse, or licensed vocational nurse to take a specimen of blood from the body of a person who died as the result of a motor vehicle accident if the justice determines that circumstances indicate that the person may have been driving while intoxicated. This new provision became effective September 1, 1999. The law does not require the Justice of the Peace to order a blood draw, but instead gives him/her the discretion to order a blood draw under the circumstances quoted above.

The law does not require the Justice of the Peace to sign a written order, but it appears to be advisable for a Paramedic to ask the Justice of the Peace to document the order. Set forth below is the recommended order form:

The undersigned Justice of the Peace orders

EMT-Paramedic# ___ of Austin County Emergency Medical Services, Austin County, Texas to draw Blood from the body of the deceased person listed below;

Deceased: _____

Date of Birth: __/__/__ Age: ___ Sex: M ___ F___

Location of Deceased: _____ Date of Blood Draw: __/__/__ Time of Blood Draw:__:__ am/pm

Location of needle on blood draw from Patient: _____

Blood Drawn by: _____, EMT-Paramedic, # _____ Austin County Emergency Medical Services, pursuant to Atticle 49.1 O(j) of the Code of Criminal Procedure.

Blood Tube Recieved by: _____ Date: _____

Time: _____ am or pm

ORDERED BY: Witnessed By: _____

Justice of the Peace, Precinct # _____

Austin County, Texas
Statutory Blood Draw Request by Justice of the Peace

Medical Director Austin County EMS
Benjamin Oei M.D.