



Patient Information

Understanding the Advance Directive

You have the right to make decisions about your own health care. Your doctor can give you information about procedures and treatments and can make recommendations, but ultimately, what happens to your body is your decision.

Yet, what if you were too sick to communicate your health care wishes? Who would make medical decisions for you? If you have an advance directive, then *you* determine the course of action—even in this type of situation.

What is it?

Generally, a health care advance directive is any written statement you prepare in advance that describes the kind of health care you would or wouldn't want in the event that you become unable to make decisions for yourself or to communicate these decisions to others. Formal advance directives typically include two written statements: (1) a "living will," which clarifies your health care preferences, and (2) a "durable power of attorney for health care," which identifies the person you would want to make health care decisions for you if you were ever unable to do so. (This person is usually called a "health care proxy," "health care agent," or "patient surrogate.")

If you're ever admitted to a hospital or nursing home, the facility staff must ask you whether you have an advance directive, and your answer must be recorded in

your medical record. If you have one, it takes effect only if you lose the ability to make decisions about your health care. If you then regain the ability to make decisions, doctors will return to consulting you instead of your advance directive. You can revoke your advance directive at any time by speaking to your doctor or loved one or by writing it down.

Why is it important?

Writing an advance directive is important for several reasons. If you're ever unable to make health care decisions, it can resolve disagreements between your loved ones and ensure that your health care wishes are respected. This can help ease the burden on your family and friends when critical decisions about your care must be made.

For example, though you may have had discussions with your doctor or a loved one about what you would or wouldn't want done to sustain your life if you were in a permanent coma, unless someone wrote down exactly what you said and made note of it in your medical record, you can't be sure that your wishes would be carried out. If you actually slipped into a coma and the person you told wasn't present or didn't remember what you said, your loved ones wouldn't know what you'd want them to do and they might disagree on what action to take. But if you've prepared an advance directive, your doctor is legally obliged to follow your instructions or to consult



with your health care proxy and respect the decisions that person makes on your behalf.

How do I write one?

Each state has its own law concerning advance directives, and most offer “official” advance directive forms through the state Attorney General’s Office. You also may be able to obtain “unofficial” forms from your state’s medical or bar association or from some national organizations. Whether you use one of these forms or design your own, it’s important that you personalize your advance directive so that it reflects your own values and wishes. Although it’s not required, you may want to talk with a lawyer if you have any questions.

Be sure to discuss your advance directive with any family members or friends who might be involved in your health care if you became unable to make decisions. They’ll be more likely to have a clear sense of your health care preferences if they understand your feelings and attitudes about possible health care or end-of-life situations.

These conversations also can help you decide whom to designate as your health care proxy. You’ll want to choose someone who can handle the responsibility, is willing to talk with you about sensitive issues, and can separate his or her own feelings from yours when making decisions about your health care. Your state’s laws may prevent you from naming certain people (such as your doctor or anyone under age 18) as your health care proxy.

If you’re filling out a standard advance directive form, you’ll be asked to describe the

circumstances under which you’d want various forms of medical treatment—including life sustaining measures—to be provided, withheld, or discontinued. You’ll also need to identify your preferences regarding pain control and comfort care and define what a “terminal condition” means to you. In addition, you should provide any instructions or information about your health care preferences that are important to you and could help your health care proxy follow through with your wishes.

To make your advance directive formal, you must sign and date it. Most states also require the signatures of two witnesses. Keep your original advance directive in a safe place—and tell family members and friends where it is. Also provide copies to your doctor, your health care proxy, any health care facility that you know will be treating you in the future, and your lawyer.

From time to time, review your advance directive so you can make changes if you need to. Remember that you and two witnesses must sign and date it each time you change it.

Where can I get more information?

To find out more about advance directives, visit the American Bar Association’s web site (www.abanet.org/aging). The patient representative or department of social services at your local hospital may be able to give you information and an advance directive form. You also can visit the web site of the U.S. Living Will Registry (www.uslivingwillregistry.com/forms.shtm) for some state-specific forms, instructions on completing them, and information on end-of-life care. ●

