

Advance Directive

What is an Advance Directive?

Advance directives are normally one or more documents that list your healthcare instructions. An advance directive may name a person of your choice to make health care choices for you when you cannot make the choices for yourself. Your advance directives will not take away from your right to decide your current healthcare. Your advance directive will only be used when you are unable to communicate or when your physician decides that you no longer have the mental competence to make your own choices.

Healthcare Representative: A person you choose to receive health care information and make healthcare decisions for you when you cannot. To choose a healthcare representative, you must fill out an Appointment of Healthcare Representative document that names the person you choose to act for you. Your health care representative may agree to or refuse medical care and treatments when you are unable to do so.

Healthcare Agent: The person named in an advance directive or as permitted under state law to make healthcare decisions on behalf of a person who is no longer able to make a medical decision.

Living Will: A written document that puts into words your wishes in the event that you become terminally ill and unable to communicate. A living will is an advance directive that lists the specific care or treatment you want or do not want during a terminal illness. A living will often includes directions for CPR, artificial nutrition, maintenance on a respirator, and blood transfusions.

Psychiatric Advance Directive: Any person may make a psychiatric advance directive if he/she has legal capacity. This written document expresses your preferences and consent to treatment measures for a specific diagnosis. The directive sets forth the care and treatment of a mental illness during periods of incapacity. This directive requires certain items in order to be valid.

Power of Attorney: A legal document allowing one person to act in a legal matter on another's behalf regarding financial or real estate transactions. Appointing someone your attorney in fact (power of attorney) gives them the ability to:

- Make choices about your healthcare
- Sign health care contracts for you
- Admit or release you from hospitals or other health facilities
- Look at or get copies of your medical records

Surrogate Decision-making: Surrogate decision-making laws allow an individual or group of individuals (usually family members) to make decisions about medical treatment for a patient who has lost decision-making capacity and did not prepare an advance directive. A majority of states have passed statutes that permit surrogate decision-making for patients without advance directives.