

## Advance Directives

An advance directive is a written document or series of forms. You sign it to make it binding. The document indicates your choices about medical treatment. In the document, you can also name someone to make decisions about your medical treatment if you are unable to make these decisions or choices yourself. By completing the appropriate advance directives, you can predetermine end-of-life decisions about your future medical care in a legally sound way.

An advance directive is purely optional. All health care facilities such as hospitals that accept federal funding are required by law to ask if you have one and offer you the appropriate information and documents to sign one, if you so choose. Of course, the fact that you are reading this puts you one step ahead of the game.

You should consider an advance directive if any of the following are true:

- You want to be sure your voice is heard when you can no longer speak.
- You want to be sure that your wishes are respected and followed in the event that you are unable to make medical decisions for yourself.
- You want to be sure that, if you fall victim to a cardiac arrest after you have suffered with a long-term, end-stage medical condition, cardiopulmonary resuscitation (CPR) or other heroic measures will not be performed.
- No doctor or health care provider can force you to complete an advance directive.

Two types of advance directives are generally completed: a living will and a medical power of attorney (also referred to as designation of a health care surrogate or health care proxy).

**Living will:** This written statement tells health care providers what type of life-prolonging treatments or procedures to perform if you have a terminal condition or are in a persistent vegetative state. Living wills should not be confused with a regular will. A living will only deals with and addresses issues regarding your medical care while you are still living.

**Medical power of attorney (or designation of a health care surrogate):** This legal document allows you to select any person to make medical decisions for you if you should become temporarily or even permanently unable to make those decisions for yourself. This person is also referred to as your attorney-in-fact, but it is not necessary for them to be a lawyer.

- **Do not resuscitate (DNR):** Your doctor discusses this form or document with you, and it tells health care providers and emergency personnel that if your heart stops beating (cardiac arrest) or if you stop breathing (respiratory arrest) that they are not to attempt to revive you by any means. **A DNR is not the same as a living will. This center will not honor the DNR aspect of your advance directive.** In an emergency, we will act to employ all life saving measures while you are under our care and arrangements will be made for your transfer to a hospital that will follow your Power of Attorney.
- A lawyer may be helpful with the completion of these matters, but one is not required.

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- You can designate information regarding organ donation in most advance directive documents.
- You can withdraw or revoke your advance directive at any time you choose.
- The laws regarding advance directives vary from state to state. If you plan to spend an extended period of time in another state, complete the necessary papers for that state regarding your medical wishes. Legal experts agree, however, that most states will honor an out-of-state advance directive if it meets legal requirements in the state that it was executed.
- Give copies of your advance directive to as many people as you can.

**INTRODUCTION TO YOUR MISSOURI ADVANCE DIRECTIVE**

A packet is available that contains a legal document, a Missouri Advance Directive, that protects your right to refuse medical treatment you do not want, or to request treatment you do want, in the event you lose the ability to make decisions yourself. You may fill out Part I, Part II, or both depending on your advance-planning needs. You must fill out Part IV.

**Part I**, Durable Power of Attorney for Health Care Choices, lets you name someone (an agent, sometimes called an attorney in fact) to make decisions about your health care. Depending on how you fill out your form, this part becomes effective either immediately or when your doctor and one other doctor certify that you are unable by reason of any physical or mental condition to receive and evaluate health care treatment information or to communicate health care decisions. You may choose to have one physician, instead of two, determine whether you are incapacitated (unable to make health care decisions) by initialing the statement in Part I.

**Part II** is a Health Care Choices Directive. This is similar to a living will, although this form—which is based on the form created by the Missouri Attorney General—allows you to make a broader range of decisions than allowed by Missouri’s statutory living will. Part II lets you state your wishes about health care in the event that you can no longer speak for yourself. Specifically, Part II allows you to choose specific treatments that you wish to be withheld or withdrawn in the event you have a terminal illness or are persistently unconscious. Part II also allows you to make choices regarding organ donation and includes space for you to add additional instructions and describe your feelings regarding what constitutes an acceptable quality of life. Your Health Care Choices Directive becomes effective when you can no longer make or communicate your health care decisions.

**Part III** describes the relationship between Part I and Part II.

**Part IV** contains the signature and witnessing provisions so that your document will be effective.

This form does not expressly address mental illness. If you would like to make advance care plans regarding mental illness, you should talk to your physician and an attorney about a durable power of attorney tailored to your needs.

**Note:** These documents will be legally binding only if the person completing them is a competent adult (at least 18 years old).

**You can access these forms at <http://www.caringinfo.org/files/public/ad/Missouri.pdf> or you can get a copy of the packet from the facility. You can also call 1-800-658-8898 for information on advance directives.**