

Advance Health Care Directives and Living Wills:

END-OF-LIFE CHOICES—MAKE YOUR WISHES KNOWN!



Advance directives are the best possible assurance that decisions regarding your future medical care will reflect your own wishes, in the event that you are unable to voice these wishes. For this reason, every person aged 18 or over should prepare a directive. Source: [Washington State Medical Association](#)

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The Terri Schiavo case should alert everyone to the importance of making your wishes known regarding end-of-life choices and decisions. One way to do this is to complete an Advance Health Care Directive.

What is an Advance Health Care Directive (AHCD)?

An Advance Health Care Directive (AHCD) is a document that instructs others about your care should you be unable to make decisions on your own. It only becomes effective under the circumstances delineated in the document. According to the Family Caregiver Alliance, an Advance Health Care Directive allows you to do either or both of the following:

1. **Appoint a health care agent.** The AHCD allows you to appoint a health care agent (also known as “Durable Power of Attorney for Health Care” or “attorney-in-fact”), who will have the legal authority to make health care decisions for you if you are no longer able to speak for yourself. This is typically a spouse, but can be another family member, close friend, or anyone else you feel will see that your wishes and expectations are met. The individual named will have authority to make decisions regarding artificial nutrition and hydration and any other measures that prolong life—or not.
2. **Prepare instructions for health care.** The AHCD allows you to make specific written instructions for your future health care in the event of any situation in which you can no longer speak for yourself.

The Advance Health Care Directive provides a clear statement of wishes about your choice to prolong your life or to withhold or withdraw treatment. You can also choose to request relief from pain even if doing so hastens death. A standard advance directive form provides room to state additional wishes and directions and allows you to leave instructions about organ donations.

Speak With Your Physician

It is important that you discuss your health care desires with your physician. He or she is likely to be the one caring for you when your instructions become relevant and is much more likely to honor requests that have been communicated directly. Furthermore, your physician can help you phrase your requests in a way that makes sense to physicians and can answer any questions you may have. Finally, your physician can point out any illogical or inconsistent features of your requests. Sometimes refusing one kind of treatment makes it illogical to expect to receive another kind of treatment. Your physician can smooth out some of these "rough edges" and help make a consistent and coherent directive. He or she will also tell you if there are aspects of your requests that he or she cannot honor because of personal, moral, or professional constraints.

Speak With Your Family

Despite your best efforts to plan for all eventualities in a health care declaration, actual events may not "fit" your directives. It is therefore important that you discuss your desires with family and friends. They can then often help clarify your directives on the basis of recollections of specific discussions under specific circumstances. In addition, if you have discussed your wishes with a number of people, it is more likely that those wishes will be honored.

Another benefit of discussion with family members is the avoidance of unpleasant scenes and confrontations when you are incapacitated. While family members may have little legal authority to make decisions for incapacitated patients, they often feel they have moral authority. They may be confused by statements not previously shared with them, and may even try to contest your wishes legally if they feel your choices are not in your "best interest."

From *The Living Will: A Guide To Health Care Decision Making* ([see below](#))

Are Advance Health Care Directive forms complicated?

Advance Health Care Directive forms are quite easy to fill out, but the content can be complex and should be thought through very carefully. Discussions with family members, legal, health or other appropriate professionals are highly encouraged before signing such a document. It is particularly important to talk with everyone who might be involved about your wishes because times of stress, others may confuse their own wishes with your wishes. Individuals responsible for seeing directives followed may encounter resistance from care providers, friends or other family members. The way to avoid potential conflict—and even court action—is to tell your physician, close family and others who may be in your decision-making circle about your directives.

See [References and resources](#) for additional tools to assist you in clarifying your decisions.

How do I create an Advance Health Care Directive?

Advance Health Care Directive forms are available via:

- State healthcare association website,
- Community and senior services organizations,
- Attorneys handling wills, estates, probate and Elderlaw matters,
- Geriatric care managers, and
- Hospitals or hospice programs.

The Eldercare Locator (800) 677-1116 can also direct you to organizations and sites that can provide a copy of the advance directive form used by your state.

Advance directive forms and living wills are not complicated. They can be short, simple statements about what you want done or not done if you can't speak for yourself. Remember, anything you write by yourself or with a computer software package should follow your state laws. So, it's essential for you to know what the laws are in your state. **While you are not required**

seek legal advice to prepare an advance directive, it may be a good idea to do so to ensure that the actual instructions for your wishes are stated accurately. It has to be absolutely clear to be enforceable.

What do I do with my completed advance directive?

Once you have completed your advance directive, it may be necessary to have it notarized depending on who witnesses your signature—follow the instructions on the document. Providing many trusted individuals with copies of your advance directive will insure that your health care wishes are met in the event that you cannot express your wishes for yourself. Copies should be given to:

- Family member(s),
- Your primary care physician, hospital or health care institution, and/or
- Anyone named in the directive.

A copy can also be sent to your attorney or kept in a safety deposit box or anywhere else you may keep copies of a will or other important papers. Be sure that you have discussed the directive with the person you designate as your health care agent and that he or she understands your wishes and the responsibilities involved.














What happens if I change my mind?

Directives can be revoked or replaced at any time as long as you are capable of making your own decisions. It is recommended that your documents be reviewed every two years or so (or if your health status changes) and revised to ensure that it continues to accurately reflect your situation and wishes.

As evidenced by the Schiavo case, choices about end of life are important for all adults—not just for the older population. Not only does an Advance Directive let your voice be heard about what you want, but it also relieves others of making these decisions for you and can prevent the type of situation we are seeing on the news today.

References and resources for advance health care directives

Helpguide's series on the Challenges of Aging:

	Senior Citizen Driving: Helping an Unsafe Driver to Stop Driving		Tips to Help a Senior Drive Safely
	Preventing Memory Loss		Senior Fitness and Sports
	Senior Careers: Discovering New Options for Lifelong Employment		Advance Health Care Directives and Living Wills: End-of-Life Choices...
	Long Term Care Insurance for the Elderly and Seniors		Depression in Older Adults and the Elderly: Signs, Causes and Treatment
	Lifelong Sexuality		Elder Abuse & Neglect: Types, Signs, Symptoms, Causes, and Help
	Coping with Loss: Guide to Grieving and		Sleep and Aging: Patterns, Problems and What to Do
	Senior Nutrition & Creative Meal Sharing: Eating Well As We Grow Older		

General Information

[The Living Will: A Guide To Health Care Decision Making](#) – Article by a physician and attorney addresses difficult issues including Terminal Illness, Permanent Disability, Determining Permanence or Irreversibility, Ordinary and Extraordinary Care (University of Buffalo)

[End-of-Life Care: Advance Care Planning](#) – Provides free brochures and state-specific advance directives to provide you with information and resources for advance care planning (National Hospice & Palliative Care Organization (NHPCO))

[10 Legal Myths About Advance Medical Directives](#) (PDF)– A compiled list of common myths about advance directives and facts that dispel them. (American Bar Association Commission on Law and Aging)

[Your Living Will: The New Advance Health Care Directive](#) – A comprehensive list of questions and answers regarding California advance health care directives. (California Medical Association)

Decision-Making Tools

[Consumer's Tool Kit for Health Care Advance Planning](#) – Contains 10 “tools” (pdf documents) that provide a variety of self-help worksheets, suggestions, and resources to help you “discover, clarify, and communicate” what is important to you in the face of serious illness. (American Bar Association Commission on Law and Aging)

[End-of-Life Decision-Making](#) – Outlines issues to consider when you or a loved one is faced with end-of life decision-making and provides resources for additional assistance. (Family Caregiver Alliance)

[End-of-Life Choices: Holding on and Letting Go](#) – Discusses the shifting emotions and considerations involved in “holding on” or “letting go”, planning ahead for end-of-life care, and some of the related matters that come up during chronic illness. (Family Caregiver Alliance)

Advance Health Care Directive Forms

[Download an Advance Directive](#) – Provides free state-specific advance directive documents and instructions. (National Hospice & Palliative Care Organization (NHPCO))

[Five Wishes](#) – Very popular document helps you express how you want to be treated if you are seriously ill and unable to speak for yourself. Addresses medical, personal, emotional and spiritual needs. Also encourages discussing your wishes w your family and physician. "[Non-printable](#)" version is free; \$5 charge for printable version (Aging with Dignity)

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