

## IMPORTANT

The information in this guide is not legal advice. This booklet gives general information about the law. It may not apply to your individual situation. Every person's circumstances are different. Also, laws vary from state to state, particularly about the formalities for completion such as witnesses and notaries. For example, as of January 1999, California, Ohio, Texas and Vermont require the use of legally approved forms, and Michigan requires the agent's signature on the advance directive. Therefore, it is important to seek advice about your own state's law and how it applies to your situation.

You can get up-to-date information about every state's laws, and the legally approved forms (if any) for any state, from Choice in Dying. It is a national, not-for-profit organization dedicated to protecting the rights and serving the needs of dying patients and their families. A service organization, Choice in Dying provides advance directives, counseling, education, publications and information to the public, health care providers and lawmakers.

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Individuals and their counsel are encouraged to use the information and forms contained in this booklet in preparing their own health care advance directives.

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*“The most important thing is the fact that you know that you’ll be in good hands.”*

*In Good Hands*

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# INTRODUCTION TO HEALTH CARE ADVANCE DIRECTIVES

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## *What Is A Health Care Advance Directive?*

A health care advance directive is a document in which you give instructions about your health care if, in the future, you cannot speak for yourself. You can give someone you name (your “agent” or “proxy”) the power to make health care decisions for you. You also can give instructions about the kind of health care you do or do not want.

In a traditional Living Will, you state your wishes about life-sustaining medical treatments at the end of life. In a Health Care Power of Attorney, you appoint someone else to make medical treatment decisions for you at any time that you cannot make them for yourself.

The Health Care Advance Directive in this booklet combines and expands the traditional Living Will and Health Care Power of Attorney into a single, comprehensive document.

For more definitions, see the *Glossary of Terms* on page 22.



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*“Once the document is done it’s there. You have it when you need it. You don’t have to worry... Ideally, everyone should have an advance directive.”*



# *Why Is A Health Care Advance Directive Useful?*

Unlike most Living Wills, a Health Care Advance Directive is not limited to end-of-life medical decisions. If you cannot make or communicate decisions because of a temporary or permanent illness or injury, a Health Care Advance Directive helps you keep control over health care decisions that are important to you. In your Health Care Advance Directive, you state your wishes about any aspect of your health care, including decisions about life-sustaining treatment, and choose a person to make and communicate these decisions for you.

Appointing an agent is particularly important. At the time a decision needs to be made, your agent can participate in discussions and weigh the pros and cons of treatment decisions based on your wishes. Your agent can decide for you whenever you cannot decide for yourself, even if your decision making ability is only temporarily affected. Unless you formally appoint someone to decide for you, many health care providers and institutions will make critical decisions for you that might not be based on your wishes. In some situations, a court may have to appoint a guardian unless you have an advance directive.

An advance directive also can relieve family stress. By expressing your wishes in advance, you help family or friends who might otherwise struggle to decide on their own what you would want done.