

PREPARING NOW

For Future Health Care Emergencies



**A guide to help you and your
loved ones plan for the future.**

Information you can count on.
Assistance you can trust.

Action
for **Older**
Persons

WHAT IS ADVANCE PLANNING for HEALTH CARE?

Advance Planning has become a fundamental practice in health care. Advance planning includes a declaration of your wishes for health care should you ever become unable to make your own decisions, whether as a result of temporary unconsciousness or a permanent disability.

These declarations are made through the use of **Advance Directives**. Advance Directives are legal documents used to declare another person a “decision maker” if you were incapacitated and needed medical care, and to specify your wishes for care clearly in writing.

This booklet reviews the myths and facts about advance directives, questions and considerations to keep in mind during the process of completing advance directives as well as the different types of directives and forms that are available to you.

In reality, advance directives are far easier and less time consuming to complete than most people think. The outcome is peace of mind, for both you and your loved ones!

MYTHS AND FACTS ABOUT ADVANCE PLANNING

MYTH: *“Living Wills and Health Care Proxies are only for old or terminally ill people”*

Everyone age 18 and older should have these directives in place. Most landmark court cases regarding health care decisions involved healthy young adults that suddenly become unable to speak for themselves.

MYTH: *“Your parents or spouse can make health care decisions for you”*

Once you turn 18, your parents and/or spouse have **no legal authority** to make health care decisions for you - unless you appoint them as a health care proxy.

MYTH: *“The forms are tedious, time consuming and require a lawyer’s signature to be legally viable”*

In New York State, Health Care Proxies become legal documents with your signature and the signatures of two adult witnesses over the age of 18... no lawyers are necessary. There are also many different forms to choose from, many of which are written in plain English and can be filled out in minutes.

STARTING THE CONVERSATION

Think about it...

Would your family know your wishes if you were suddenly unable to communicate because of an accident or illness?

How much input would you want your doctor or other health care provider to have in making your health care decisions?

Would you want your closest loved ones to have more say than your health care provider?

Could you confidently guide the care of a loved one if your role was reversed?

When formulating your plan, keep in mind that the decisions you will need to make are highly personal. Consider these questions:

- ▶ **What are your beliefs and values?**
- ▶ **Is quality of life as well as length important to you?**
- ▶ **What is your understanding of medical treatment choices and the possible outcome of each treatment?**
- ▶ **Who would you want to make medical decisions for you in case you are unable?**

TYPES OF ADVANCE DIRECTIVES

HEALTH CARE PROXY

Appoints someone to be your health care decision-maker or “proxy” (sometimes referred to as a “health care agent”). This person will have legal rights to make health care decisions if you can’t speak or think clearly for yourself, regardless of the circumstances that caused the event.

NOTE: The person you designate as your health care proxy is only able to make health care decisions on your behalf, ***not*** property related decisions. Assigning a responsible party for your property would require a Durable Power of Attorney form, for which you should seek expert legal advice.

LIVING WILL

Details what kind of life-sustaining treatment you do or do not want in the event of an illness when death is imminent. This form acts as an important guide for your health care proxy. It is common practice to review it with your health care proxy to clarify any questions he/she may have.

DO NOT RESUSCITATE (DNR) ORDER

States that in an emergency, any medical professional should not perform resuscitation

measures (such as CPR) if you suffer from a cardiac or respiratory arrest. Choosing to file a DNR order is a decision that will vary greatly depending on your individual situation. If you are unsure if a DNR order is a good choice for you, consult with your family physician. A DNR order must be signed by a physician to be considered valid.

HOW TO CHOOSE A HEALTH CARE PROXY (AGENT)

Selecting who you want to appoint as your health care proxy can be a challenging decision. Consider the following points:

- ▶ The person you appoint as your proxy must be a competent adult age 18 or older.
- ▶ Someone you trust and who can understand and implement your wishes.
- ▶ Someone who is comfortable acting as your health care proxy.
- ▶ Someone you can have a meaningful conversation with.
- ▶ Someone committed to standing up for your wishes.
- ▶ Someone who can be contacted in the event of a medical crisis.

COMPLETING THE PROCESS

TALK TO YOUR PROXY

Your first step is choosing and speaking with the person you want to appoint as your health care proxy to ensure he/she is willing and able to follow through in this role.

CHOOSE THE RIGHT FORM

Many forms are available to specify a health care proxy and living will. Some forms combine the assignment of a proxy with the living will's specific health care directions, while others use separate documentation. Use the form that you are comfortable with, but be sure that you choose one that meets the technical requirements of your state. A popular, local choice is the **Five Wishes®** form, which the nonprofit Aging with Dignity introduced to Florida in 1997, and a year later, to the nation. At this writing, **Five Wishes** is valid in 40 states including New York State.

Five Wishes is a user-friendly advance directive that allows you to assign a health care proxy and specify your wishes in a living will. This form will guide you through five questions that assist in addressing spiritual, personal, and medical decisions related to end of life care.

MAKE THE FORMS LEGAL DOCUMENTS

In New York State, a health care proxy form becomes a legal document once you sign & date it. This must be done in the presence of two adult witnesses age 18 or older who also sign your form.

KEEP YOUR ADVANCE DIRECTIVES SAFE

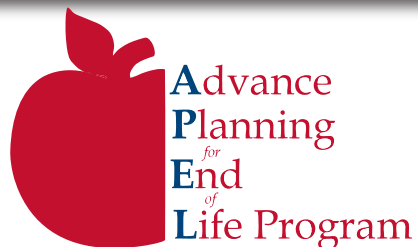
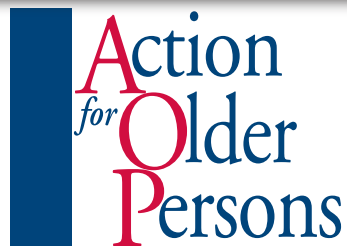
Give copies to your assigned proxy, your physicians (for your medical records), your lawyer, your clergy, and anyone else you feel should have a copy. Keep a copy in your wallet or purse, with other important papers, and/or in the glove compartment of your car. They should be readily available in an emergency situation.

WHAT IF YOU CHANGE YOUR MIND?

While health care proxies are legal forms, you can revoke and update this document at any time.

- ▶ Destroy all existing copies of the forms.
- ▶ Distribute replacement forms to all interested parties.
- ▶ Be sure to date forms to eliminate any confusion.
- ▶ Be aware that health care proxy forms are automatically revoked if you assign a spouse as your proxy and become separated or divorced.

HAVE QUESTIONS?



Locally, Action for Older Persons' Advance Planning for End of Life program is proud to offer you:

- **Five Wishes** Advance Directive forms at no charge for individuals*
- Seminars and workshops
- Trained volunteers for assistance with completion of Advance Directives
- Free individual planning sessions
- Information, assistance, and referral on a wide range of end of life pre-planning topics

Action for Older Persons, Inc.

30 W. State St.

Binghamton, NY 13901

Phone: 722-1251

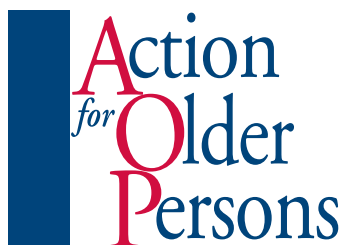
Web: www.ActionforOlderPersons.org

* In addition to free, individual copies being available at AOP, Five Wishes may be purchased for a nominal fee from Aging with Dignity. Write to PO Box 1661, Tallahassee, Florida 32302-1661, visit www.agingwithdignity.org, or call 1-888-594-7437.

YOUR CHECKLIST

| DONE <input checked="" type="checkbox"/> | PLANNING ACTIVITY |
|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | Gather your thoughts by asking yourself: <ul style="list-style-type: none"> ▶ Would your family know your wishes if you suddenly were unable to communicate because of an accident or illness? ▶ How much input would you want your doctor to have in your health care decisions? ▶ Would you want your closest loved one(s) to have more say than your doctor? |
| | Decide who you would appoint as your health care proxy. |
| | Obtain health care proxy and living will forms. |
| | Complete your advance health directives. |
| | Make copies of your completed directives. |
| | Distribute copies. |
| | Have meaningful conversations regarding your wishes. |
| | File original form and one copy in an accessible place. |
| | Periodically review your advance health directives and update if necessary. |

**For more information about this
and other topics of concern to
mid-life and older adults, visit:**



www.ActionforOlderPersons.org

**Funding for this booklet is provided by the State
of New York through grants administered by
the New York State Office for Aging.**