

Questions and Answers about Advance Care Planning

If I get too sick to say what kind of help I want from doctors or nurses, what can I do?

Putting your wishes in writing makes sure that everyone knows what you want. You can do this using a form called the Directive to Physicians and Family or Surrogates. This form is also sometimes called a Living Will. The form tells doctors, family members or other people who are close to you the type of help you want when you are sick and how you want to be treated. The document includes written instructions on things that you do want and DO NOT want done to you.

Do I have to fill out this form?

No. No one can make you fill out the form. But with it the people helping you will know what you want if you can't tell them.

Can I change my mind about what I say on the form?

Yes. You can do that at any time you want. If you change your mind, you must complete a new form and throw away the old one rather than make changes to the old form. That way no one will make a mistake when they are trying to help you.

It is also a good idea to tell your family and doctor that you have changed your wishes.

Remember, this form can only be used when you can't tell people what you want. If you are awake and able to say what you want, you can speak for yourself.

Can someone speak for me if I am not able to say what I want?

Yes. You can fill out a form called a Medical Power of Attorney. This form lets you name someone to speak for you. The person you name is called an agent on the form. You can choose anyone you want to be your agent. It does not have to be a member of your family. But remember, it is always important for your family and agent to know what you want before something happens to you.

If you don't name someone to be your agent, then state law has a set of rules for how decisions will be made for you.

What are the rules about completing advance directives?

Do I need a lawyer to fill out any of these forms?

No. You can fill them out yourself. You can ask a lawyer to help you, but you do not have to. Once you have filled out the forms, all you have to do to make them legal is sign them in front of the proper witnesses. You do not need a notary public.

Do doctors, nurses and hospitals have to follow my instructions?

Yes, unless they inform you in advance that they cannot. If they do not intend to honor your wishes, they are required to give you a reasonable opportunity to or assist you to transfer to a physician or health care provider who will comply with your wishes. Health care professionals cannot simply ignore your wishes.