



A Smart Plan

Understanding Advance Directives

What are Advance Directives

“Advance directives” let you say what care you want or do not want if you cannot speak for yourself. Advance directives are a living will and a health care power of attorney. A **living will** describes your wishes for medical care. A **health care power of attorney** names a person to make health care decisions for you in case you are not able to speak for yourself.

It is important that you follow your state’s laws regarding advance directives. Each state has its own documents to assist you in writing your advance directives. The Health Plan can assist you in obtaining and completing these documents.

It is your right and your choice to have written advance directives. No one can deny you care or discriminate against you based on whether or not you have signed advance directives.

What is a living will?

A living will states what you want and do not want for medical treatment at the end of life. It takes effect only if you are dying and cannot speak for yourself.

What is a health care power of attorney?

A health care (medical) power of attorney allows you to name a person to make your health care choices for you if you cannot make them yourself. This includes not only decisions at the end of your life, but also in other medical situations. This may also be known as a “health care proxy.” Your representative, or agent, has the right to accept or refuse medical treatment on your behalf. The person you select can also be known as:

- a representative
- a health care agent or proxy
- a health care surrogate
- a medical power of attorney
- a durable power of attorney for health care

Who should I select to be my health care power of attorney?

- Pick someone you know and trust (a family member, close friend, or clergy)
- They must be over 18 years of age
- They must understand your wishes and support your choices
- They cannot be your health care provider

What do I need to know about end-of-life decisions to prepare my advance directive?

Learn about life-sustaining treatments. Life-sustaining treatments support the body and keep a person alive when the body is not able to function on its own. Life-sustaining treatments may help to bring back normal functions and improve your condition. However, if you have a serious life-limiting condition, you may not want to extend your life with this treatment. Life-sustaining treatments are:

- Cardiopulmonary Resuscitation (CPR)
- Do Not Intubate order (DNI)
- Do Not Resuscitate order (DNR)
- Artificial Nutrition and Hydration

What is Cardiopulmonary Resuscitation (CPR)?

Cardiopulmonary Resuscitation (CPR) is used when your heart or breathing stops. If your heart stops, the treatment may include chest compressions, electrical stimulation or medication to start the heart beating again. If breathing stops, you may need a tube through your mouth or nose into the windpipe to start your breathing again. The tube placed in your body is connected to a mechanical ventilator.

What is a Do Not Intubate (DNI) order?

Intubation is placing a tube into the nose or mouth so it enters your windpipe to help you breathe when you cannot breathe on your own. Intubation might prevent a heart attack or respiratory arrest. If you do not want intubation, that does not mean you do not want other types of resuscitation. And if you have completed a DNR order, that does not mean that you do not want to be intubated. If you do not want life mechanically sustained, you must talk with your doctor.

What is a Do Not Resuscitate (DNR) order?

A Do Not Resuscitate (DNR) order is a written doctor's order that does not allow the health care team to begin CPR. If you do not want to receive CPR, the doctor writes and signs a DNR at your request or at the request of your family or representative. A doctor must sign the DNR order or, it cannot be honored. DNR orders:

- Can be canceled at any time by letting the doctor who signed the DNR know that you have changed your mind.
- Remain in effect, even if you transfer from one health care facility to the next. Talk with the facility to make sure this is true. A DNR may not be honored if your state does not have an out-of-hospital DNR policy.
- May not be honored during surgery. This should be discussed with your surgeon and anesthesiologist before surgery.
- Should be posted in the home if that is where you are being cared for.

If there is no DNR order, the health care team will respond to the emergency and perform CPR. They will not have time to consult a living will, the family, your representative, or your doctors if they are not present.

What is artificial nutrition and hydration?

Artificial nutrition and hydration allow you to receive food (nutrition) and fluid (hydration) when you cannot take them by mouth. This treatment can be given to a person who cannot eat or drink enough to continue life. When someone with a serious or life-threatening illness is no longer able to eat or drink, it usually means the body is beginning to stop functioning because of the illness.

How can I prepare my advance directive?

You do not need a lawyer to fill out a living will or health care power of attorney. State hospice organizations, local hospitals, and public health departments provide state-specific forms and instructions. It is important that you use the advance directive for your state. Read the forms carefully and follow all legal requirements. You may need to get the forms notarized and have them signed by a witness.

Keep your advance directives in a place that is easy to find. Give copies to your representative and your secondary agent, if necessary. Discuss your advance directive with your physician and provide a copy for your medical record. An advance directive is in effect unless you cancel it or decide to complete a new one with changes.

Can health care professionals refuse to honor my advance directive?

Some health care professionals may not be able to follow what is written in your living will if they feel it is against your best interest or goes against their moral or religious reasons. It is important for you to know if your doctor

will honor your requests. You should bring your completed living will to your next health care appointment. If your physician cannot honor your advance directive, the physician should transfer your care to a physician who will follow your instructions.

Who would make decisions about my medical care if I do not complete an advance directive?

If you are not able to make decisions, health care professionals will talk with your family members. Some states have decision-making laws about who may make decisions on your behalf when you do not have an advance directive, such as your spouse, parents, or adult children.

Does my advance directive include my wishes about organ donation, cremation or burial?

Some states may include your wishes regarding organ donation as part of the advance directive. If it is not included, you can still write down your decision about organ donation. You should also let your loved ones know if you wish to be buried or cremated.

For more information, go to healthplan.org



The Health Plan Health and Wellness Department
1.877.903.7504

This flyer contains general information about advance directives. Because state laws vary, this information cannot take the place of legal counsel. Also, it cannot replace the advice of a qualified health care provider.