

# Advance Directives

*(Medical Care Decisions)*

Thank you for choosing Wake Forest University Baptist Medical Center. Please let us know if you have questions or concerns or do not understand the information we give you. Always ask us to explain words or phrases you do not understand.

## What You Should Know

Advance directives are legal statements that let others know what type of healthcare you want if you become too sick to speak for yourself. Having advance directives is good for everyone since accidents and illness can strike at anytime. Advance directives help you protect your rights, help your family avoid the stress of making hard decisions, and give your doctor guidelines for the care you want.

This handout will answer some common questions and describe each advance directive. If you want to learn more or would like to complete an advance directive, please ask your nurse to call the hospital chaplain. Wake Forest University Baptist Medical Center honors advance directives that have been properly signed, witnessed, and notarized

Advance Directives protect your wishes by putting them in writing. There are three advance directives you can prepare in advance. They are the:

- ◆ Living Will
- ◆ Healthcare Power of Attorney
- ◆ Advance Instruction for Mental Health Treatment

We are required by law to ask if you have an advance directive. Your response will be written in your medical record. In order for your advance directive(s) to be carried out as you wish, it is best to give us a copy to put in your current medical record. If you did not bring your copy, you can fill out a new one or you can “declare your intent” until your family brings your copy. This means your doctor or nurse will ask if you want to name someone to make healthcare decisions for you if you are too ill to make those decisions.

## What are My Rights?

### *Who decides about my healthcare treatment?*

If you are age 18 or older and mentally competent, you have the right to decide about your healthcare treatments. Ask about any treatment or procedure so you know what will be done and why. You have the right to accept or refuse treatments.

### *Must I have an advance directive and what happens if I don't?*

You do not have to have an advance directive. If you are too sick to make your healthcare decisions, your doctor will ask your closest family members to make decisions for you. If you want someone other than family to make the decisions, you must tell the doctor or nurse the name of the person.



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## **Living Will**

A living will lets you choose the kind of health care you want. Your loved ones do not have to guess what you want. It is called a living will because it takes effect while the patient is alive.

In North Carolina, a living will is a legal document that tells others you want to die a natural death

- if you have an illness that will result in death in a short time (terminal) and cannot be cured
- if you are unconscious and doctors have a high degree of certainty you will not wake up (vegetative state).

In a living will, you can direct your doctor not to use certain treatments that could prolong your life. For example, you can instruct your doctor not to use a breathing machine (ventilator), or to stop the machine if it has been started. You also can direct your doctor not to begin or to stop giving you food and water through a tube

## **Healthcare Power of Attorney**

In North Carolina, you can name a person to make healthcare decisions for you if you are too sick to make them yourself. In this legal document, you name the person you want to be your healthcare agent. Make sure this person knows what treatments you would want and what you would not want.

Having a living will is not the same thing as choosing someone to make healthcare decisions for you.

### ***How should I choose a healthcare agent?***

You should choose someone you trust to do what's best for you. Ask the person if he or she will be your healthcare agent. Then, discuss your wishes with this person.

## **Advance Instruction for Mental Health Treatment**

In North Carolina, this legal document instructs others about certain types of mental health treatments you do or do not want in case you are not able to make the decision.

Mental health treatments you might choose to receive or withhold include:

- ECT (shock treatment)
- Use of medicines that alter the mind, such as tranquilizers
- Being admitted to or kept in a facility for care or treatment of mental illness.

## **Other Questions**

### ***How do I make an advance directive?***

You must follow a few rules when you make an advance directive. These rules are to protect you and make sure your wishes are clear to the doctor or other healthcare workers. Any advance directive must be written and signed by you while you are able to understand your choices and to make those choices known. Each advance directive must be witnessed by two people and be notarized.

*Are there forms I can use to make an advance directive?*

Yes, there are forms you can use. Using a special form is the best way to make sure your wishes are carried out.

*When does an advance directive go into effect?*

A **living will** goes into effect when you are going to die soon and cannot be cured or when you are in a vegetative state.

The **healthcare power of attorney** and **advance instruction for mental health treatment** goes into effect when your doctor puts in writing that you are not able to make your healthcare choices.

*What happens if I change my mind?*

You can cancel any advance directive by destroying all copies or by telling your doctor. You can change any advance directive by signing another one or by telling your doctor and each healthcare agent that knew about the document.

*With whom should I talk about an advance directive?*

You should tell those closest to you about any advance directive you have. Tell them about the healthcare you would or would not like to receive. Your doctor or healthcare worker can answer medical questions. A lawyer can answer questions about the law. Some people also discuss feelings or decisions with clergy or other trusted advisors.

*Where should I keep my advance directives?*

Keep a copy of each advance directive in a safe place where your family can get it. Give copies to your family, your doctor or other healthcare workers, your healthcare agent, and any close friends who might be asked about your care should you not be able to make decisions.

*What if I have an advance directive from another state?*

An advance directive from another state may not meet all of North Carolina's rules. To be sure about this, you may want to make an advance directive in North Carolina, too. Or you could have your lawyer review the advance directive from the other state.

*Where can I get more information?*

If you would like more information about advance directives, please ask your nurse to call the hospital chaplain who will talk with you.

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