

## INFORMATION ON THE ADVANCE DIRECTIVE PACKET

This is a packet of the three types of Advanced Directives used in the state of Texas. Each is a little different in how they work and what they cover. Each form must be signed by 2 witnesses. The witness CANNOT be a family member, or anyone who can benefit from your estate in the event of your death. Witnesses CANNOT be hospital employees either. The forms do not need to be notarized or filed at a courthouse to be valid. Advanced Directives are optional and each patient can decide to complete any or all of the forms. If the patient should decide to complete any of the forms the doctor, nurse or social worker should be notified. A copy of the Advanced Directives should be placed in the patient's chart and the original should be returned to the patient. Each form contains directions on how to fill them out. If anyone has questions when filling out the Advanced Directives, please have the nurse or doctor contact the hospital social worker for assistance. The packet also contains information on "Good Reasons to Sign Advanced Directives" and answers common questions regarding advanced directives.

### **Form 1) DIRECTIVE TO PHYSICIANS AND FAMILY OR SURROGATES**

This form allows the patient to go through and specify what they would or would not like to have happen in specific situations. If the patient does not have a Medical Power of Attorney (MPOA) it leaves a place for the patient to assign 1-2 specific people to make medical decisions for them in the event the patient is unable to make them. *Do not complete this section of this form if a Medical Power of Attorney has already been completed.* The last page contains definitions of words found in the form, such as "terminal condition" and "artificial nutrition." This will allow the patient to fully understand what choices they are making when completing the form.

### **Form 2) DISCLOSURE STATEMENT FOR MEDICAL POWER OF ATTORNEY (MPOA)**

This form allows the patient to name a specific person to make medical decisions on their behalf if they are unable to do so. It also allows for alternates to be listed if a MPOA is unavailable. For example, someone may list their spouse or child as their power of attorney, but if they are out of state or unavailable, it allows for someone else to step in. The patient may add an expiration date to the form, for example, if they want it only for a specific upcoming procedure or date. This form also allows for limitations on the person the patient makes their MPOA. For example, some people recognize that it may be too emotionally difficult for a spouse to make life and death decisions regarding their partner during a medical crisis. The limitation section allows for this. For this reason, many people chose neighbors or friends as their MPOA's rather than family members. Whomever the patient chooses to be their MPOA – it should be someone they trust to make decisions on behalf of the patient who would honor the patient's wishes.

### **Form 3) TX DEPT. OF STATE HEALTH SERVICES STANDARD OUT-OF-HOSPITAL DO-NOT-RESUSCITATE ORDER**

In the state of Texas, if 9-1-1 is called and someone has to be taken to the hospital –EMS are required by law to do everything in their power to save that person's life. It does not matter if that person has a hospital Do Not Resuscitate Order or a Medical Power of Attorney who does not want that person resuscitated! Unless EMS has viewed this completed form, they are required by law continue to try and save that person's life. For example, a person with a terminal brain tumor who has an Advanced Directive in place stating they do not wish to be kept alive by an artificial breathing machine while in the hospital – that person would ALSO need an out-of-hospital DNR in order for their wishes to be followed by EMS – even if they are being taken to the hospital for a completely unrelated medical reason. This form is usually only completed by people who are near the end-of-life or have very strong wishes regarding being resuscitated.

## Frequently Asked Questions About Advance Directives

### What will happen if I do not have an Advance Directive?

You will receive medical care even if you do not have any advance directives. However, there is a greater chance that you will receive more treatment or more procedures than you may want. If you cannot speak for yourself and you do not have an advance directive, your doctor or other health care provider will look to the following people in the order listed for decisions about your care:

- 1) Your guardian, if a court has appointed one, who is authorized to make health care decisions for you
- 2) Your spouse
- 3) An adult child, or if you have more than one adult child, a majority of those children who are reasonably available for consultation
- 4) Your parents
- 5) Your nearest living relative

### When do Advance Directives go into effect?

It is important to remember that these directives only take effect when you can no longer make your own health care decisions. As long as you are able to give “informed consent,” your health care providers will rely on YOU and NOT on your advance directive.

### Can I change my mind after I write an Advance Directive?

Yes, at any time, you can cancel or change any advance directive that you have written. To cancel your directive, simply destroy the original document and tell your family, friends, doctor and anyone else who has copies that you have cancelled them. To change your advance directives, simply write and date a new one. Again, give copies of your documents to all the appropriate parties, including your doctor.

### What is a Living Will?

Living Will is the old term for the Directive to Physicians and Family or Surrogates.

### Can I appoint more than one person to share the responsibility of being my Agent/Medical Power of Attorney?

You should appoint only ONE person to be your primary agent. Any others that you want to be involved with your health care decisions should be appointed as your alternates. If two or more people are given equal authority and they disagree on a health care decision, one of the most important purposes of the MPOA will be defeated. If you are afraid of offending people close to you by choosing one over another to be your agent, ask them to decide among themselves who will be your primary agent and select the others as alternates.

## Good Reasons to Sign Advance Directives

1. It allows you to control your own healthcare when you cannot speak for yourself.
2. It increases the chance you will get the care you want.
3. It is a kind thing to do for your loved ones. They will know they are carrying out your wishes and have a written tool to share with medical providers.
4. It helps avoid conflict among family members about your wishes or worse, possibly court battles over maintaining or withdrawing life support.
5. Simply telling family members what you want may not ensure your wishes will be carried out.
6. It helps guide your physician on what medical treatments you do or don't want.
7. It helps open the discussion with family members about your values and views on quality of life.
8. The law guarantees your right to make decisions about your medical care, including withholding life support through artificial means.
9. It can help open up the dialogue with you and your healthcare providers about certain medical procedures, what they are, and whether you want them or not, and under what conditions you would choose them.

**Advance Directive  
Information Sheet**

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ACCT# «PatientNumber» DOB:«BirthDate»  
«Gender» «Age»  
«PatientName» «AdmitDate»  
«AdmittingDoctorName» MR#«MedicalRecordNumber»