

INTRODUCTION TO ADVANCE DIRECTIVES

The end of a person's life is a complicated time for both the individual as well as his or her family members. Unfortunately, the legal challenges and questions that arise at the time of death are likely to complicate matters. There are a number of different legal documents, categorized as "Advanced Directives" that allow individuals and families to make decisions about medical and end of life issues ahead of time, before an individual is no longer capable of doing so for themselves. The term "Advance Directives" typically refers to a variety of legal documents, including Health Care Directives, which were previously referred to as Living Wills; Do Not Resuscitate (DNR) forms, which are also referred to as "Code/No Code" forms; and durable powers of attorney for health care. These documents are intended to allow an individual to make decisions in advance as to the medical treatment that he or she wishes to receive in the future; specify how decisions are to be made on his or her behalf, if necessary; and direct the medical establishment to follow these decisions.

The Legal Department has prepared information and sample forms for the following different types of Advance Directives: **Health Care Directive; Do Not Resuscitate; and Durable Power of Attorney for Health Care**. Not every form is appropriate for every person. The following is intended as a general description to help you determine if a particular form might be appropriate for you or a loved one. If you would like the blank legal forms, or more information, please contact the Legal Department.

A Health Care Directive is prepared in advance to inform all medical personnel as to the actions that should be taken in case of a terminal illness or coma and statutorily becomes effective only when a physician determines that a terminal condition exists, or two physicians find that the patient is in a coma. A Health Care Directive is a "springing" document that must be activated by the physician at the time when the specified condition develops. It is not immediately active but "springs" in certain circumstances. A Health Care Directive is an advance instruction of intent as to orders the physician is asked to give if certain situations (a terminal condition or coma) develop in the future.

A Do Not Resuscitate (DNR) Form is prepared cooperatively by an individual and physician as an advance order by the physician that, if the individual experiences cardiac or respiratory failure, cardiopulmonary resuscitation (CPR) is or is not to be attempted. A physician order for the decided-upon action is provided in advance so that medical personnel will respond according to the advance order.

A Durable Power of Attorney for Health Care allows an individual to appoint someone else to make medical care decisions, in case of personal inability to make such decisions. An agent is given certain powers to "stand in" for the ill person. The Power may be effective immediately or "spring" at a certain date or event.

For More Information Contact the Squaxin Island Legal Department, Diane Deyette at ddeyette@squaxin.us or (360) 432-1771 x 5.