

Advance Medical Directive

An **Advance Medical Directive** (also known as a living will, personal directive, advance healthcare directive, advance directive, or advance decision) is a legal document in which a person specifies what actions should be taken for their health if they are no longer able to make decisions for themselves because of illness or incapacity. This document may also serve as a **Power of Attorney for Health Care Decisions**, in which the person authorizes someone (an agent) to make health care decisions on their behalf when they are incapacitated.

Why Create an Advance Medical Directive?

An Advance Directive allows you to state your choices for healthcare or to name someone to make those choices for you, if you become unable to make decisions about your medical treatment. It enables you to say "yes" to treatment you want, or "no" to treatment you do not want.

Do I Need to Include a Power of Attorney for Health Care?

You may execute an Advance Medical Directive with or without a Power of Attorney for Health Care incorporated. An Advance Medical Directive alone is helpful in stating your wishes, but it may not be possible to anticipate all possible medical situations. The best way to protect your interests, therefore, is to execute an Advance Medical Directive that includes a Power of Attorney for Health Care.

Are Advanced Directives Only for End-of-Life Issues?

No. Advance directives may address any type of care in situations in which you cannot make decisions for yourself. For example, an advance directive may address psychiatric (mental health) issues, chronic disease issues, and wishes about admissions to certain types of healthcare facilities.

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Who Should I Pick as My Healthcare Power of Attorney?

You may appoint any adult (18 years or older). This person needs to be accessible, but he/she does not need to live in Virginia. When you choose your agent, make sure that you have chosen someone who will be able to make potentially difficult decisions about your care, is willing to serve as your agent, and is aware of your wishes. You should also choose an alternate (successor agent) in case your first choice is unavailable (for example, your first choice may not be found or may not be willing to be your agent).

Will I Lose My Ability to Make My Own Decisions?

No. Your agent only gets to make healthcare decisions for you if your doctor and another doctor or licensed clinical psychologist examine you and determine you cannot make decisions for yourself. Furthermore, as soon as you can speak for yourself again, decision-making authority returns to you.

What If I Change My Mind?

You may cancel or modify your Advance Medical Directive at anytime, but it is important that you tell others that you have cancelled or changed your Advance Medical Directive.

What Does It Mean to Have a Terminal Condition?

It means that your doctor has determined that you are likely to die soon or that you are in a persistent vegetative state, which is when you have no awareness of your surroundings and your doctors have determined you will not recover.

What Does Life-Prolonging Treatment Mean?

It means using machines, medicines, and other artificial means to help you breathe, eat, get fluids in your body, have a heartbeat, and otherwise stay alive when your body cannot do these things on its own. Life-prolonging treatment will not help you recover. It does not include drugs to keep you comfortable.

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I Do Not Want to Limit My Care if I Have a Terminal Condition. Will an Advance Directive Help Me?

Yes. Your Advance Medical Directive will enable your physicians and family to know that this is your wish.

I'm Worried about Pain, but I Don't Want to be Hooked Up to Machines if I Have a Terminal Condition. Should I Have an Advance Directive?

Yes. No matter what you choose about life-prolonging treatment, you will be treated for pain and kept comfortable.

Will I Get Less Respect and Medical Attention?

No. Your physicians and nurses may not discriminate against you based on your healthcare choices. You will get whatever care is appropriate, but you will not get any treatment that you have stated you do not want.

Can My Family or Physicians Override My Decisions?

No. This is one of the major reasons to create an Advance Medical Directive.

Where Should I Keep My Advance Directive? Who Gets Copies?

Just as important as creating an Advance Directive is making sure that other people know that you have it and know where it is located. Specifically, you should:

- Give a copy or the original to your agent or proxy.
- Give a copy to your physician(s).
- Give a copy to family and friends.
- Bring it to the hospital with you.
- Register a copy at www.VirginiaRegistry.org, and make sure your agent or proxy has access.

Additionally, you should keep a copy of your Advance Directive in a safe place where it can be found easily. **Do not keep your only copy in a lock box or safe.**

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