**Advance Directive (Medical Decisions)**

**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 patients of any age since accidents and illness can happen at any time. Advance directives help you protect your rights, help your family avoid the stress of making difficult decisions, and give your care team guidelines for the care you want. If you are admitted to the hospital, you or your family will be asked if you have an advance directive. This handout will answer some common questions and describe each advance directive.

**Living Will**

A living will lets you choose the kind of health care you want so that your loved ones are not left making difficult decisions. It is called a living will because it takes effect while the patient is alive. In Alabama and Georgia, 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 to not to use certain treatments that could prolong your life. For example, you can instruct your care team not to use a breathing machine (ventilator), or to stop the machine if it has been started. Moreover, you can instruct your care team to not use CPR or shock you out of a fatal heart rhythm.

**Healthcare Power of Attorney**

In this legal document, you name the person you want to be your healthcare agent. This gives them the ability to make healthcare decisions for you in the event that you are too sick to make them yourself. 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. You should choose someone that you trust to do what’s best for you and carry out your wishes. Ask the person if he or she will be your healthcare agent. Then, discuss your wishes with this person. It becomes active any time you are unconscious or unable to make medical decisions.

**Do Not Resuscitate (DNR) Order**

A do not resuscitate (DNR) order is another kind of advance directive. A DNR is a request not to have cardiopulmonary resuscitation (CPR) if your heart stops or if you stop breathing. (Unless given other instructions, hospital staff will try to help all patients whose heart has stopped or who have stopped breathing.) You can use an advance directive form or tell your doctor that you don't want to be resuscitated. In this case, a DNR order is put in your medical chart by your doctor. DNR orders are accepted by doctors and hospitals in all states.

**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.

**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. In most cases, each advance directive must be witnessed and notarized.

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

Yes, there are forms you can use yourself or you can have an attorney prepare them for you. Using a special form is the best way to make sure your wishes are carried out. You can download forms specific for your state at the addresses below.

Georgia: <http://www.caringinfo.org/files/public/ad/Georgia.pdf>

Alabama: <http://www.caringinfo.org/files/public/ad/Alabama.pdf>

*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 have access to 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 Georgia’s rules. To be sure about this, you may want to make an advance directive in Georgia too. Or you could have your lawyer review the advance directive from the other state.

*Where can I get more information?*

Below are some more resources that further explain advance directives:

<https://medlineplus.gov/advancedirectives.html>

<http://www.caringinfo.org/>

<http://www.aarp.org/relationships/caregiving-resource-center>

This is provided as general information about advance directed and is not intended to serve as legal advice.