

# Advance Directives



## Clear Lake Regional MEDICAL CENTER

You have the right to make fundamental decisions regarding the medical care you receive while you are in the hospital and give informed consent to treatment recommended by your physician. However, there may be circumstances which prevent you from making those decisions for yourself. A growing number of individuals desire to make their wishes regarding life prolonging treatment known in advance to their families and physicians. Texas law allows individuals to make such decisions in advance through documents known as Advance Directives. In accordance with federal and state law, Clear lake Regional Medical Center shall respect valid Advance Directives.

### Types of Advanced Directives

- Directive to the Physician (Living Will)
- Medical Power of Attorney for Healthcare Decisions (also known as Durable Power of Attorney for Healthcare Decision Making)
- Out of Hospital DNR (Do Not Resuscitate)
- Declaration for Mental Health Treatment

### Directive to Physicians

A Directive to Physicians allows a competent individual to accept, refuse, withdraw or control decisions relating to rendering of medical care, specifically the use of life-prolonging medical treatment when a condition is terminal and/or irreversible and you are not able to make your own decisions.

### Medical Power of Attorney

A Medical Power of Attorney allows a competent person to designate someone they trust (agent) to make healthcare decisions for them should they become unable to do so. The person you choose may make healthcare decisions on your behalf only when your physician decides you cannot make those decisions yourself. Once signed, a Directive to Physicians or a Medical Power of Attorney does not have to be renewed. It can be revoked at any time by the person who signed the document in writing or orally by telling the physician, agent, family or an immediate healthcare provider.

### Out-of-Hospital DNR

An Out-of-Hospital Do Not Resuscitate form allows you to refuse certain life-sustaining treatments outside of the hospital. Those settings include Hospital emergency rooms, Home Health, Hospice, Nursing Homes and Ambulances. A physician's signature is required, along with two witnesses.

# Advance Directives (cont'd)

## **Declaration for Mental Health Treatment**

A Declaration for Mental Health Treatment is an advance directive indicating the kinds of mental health services you do or do not to consent to, including psychoactive medications, convulsive treatment and preferences for emergency treatment including restraints, seclusion or medication. The form allows you to tell healthcare providers your choices for mental health treatment in the event you become incapacitated. Unlike the other advance directives, the Declaration for Mental Health Treatment expires 3 years from the date it is signed. If you are incapacitated on that date, the document will continue to be in effect until you are again able to make your own decisions. A notary is not required to execute an Advance Directive.

The form must be signed by two competent adult witnesses. The following persons may NOT act as a witness:

- The person you have designated to make treatment decisions
- A person related to you by blood or marriage
- A person entitled to any part of your estate after death
- Your physician or an employee of your physician
- An employee of the healthcare facility where you are a patient if the employee is providing direct patient care or is an officer, director, partner or business office employee of the healthcare facility or parent organization of the facility

A person who at the time the Directive is executed has a claim against any part of your estate after death.

Please inform your physician and healthcare providers of any Advance Directives you have. Bring copies with you each time you come to the hospital. Discuss your wishes with family, friends or significant others so they know what your wishes are if you become incapacitated. If during the course of your hospital stay, you or your family wants to discuss end-of life decisions or perceived conflicts, the hospital has an ethics committee available to you. If you wish to access this committee, please let your physician or your nurse know. It is not required to have Advance Directives. If you want information or to execute an Advance Directive, please let your physician or any member of the Healthcare team know so we can assist you.

## **Keep It Current**

Please note that your advance Directive is destroyed once you are discharged from the hospital. You must create a new Advance Directive each time you are readmitted. In this way, you ensure that the hospital has your most current information.