

Advance Medical Directives

How Best to Deal with End-of-Life Decisions

Q: Who makes health care decisions for me should I become incapacitated?

A: In the absence of an advance medical directive made by a patient, a physician may provide or withhold treatment upon the authorization of a court-appointed guardian or committee. If there is no such court-appointed guardian or committee, then family members in descending order of relationship to the patient may authorize treatment. The order of relationship is as follows: spouse, adult child, parent, then brother or sister.

Q: How will my family members make health care decisions for me?

A: Family members are duty bound to make a good faith effort to understand the risks and benefits of alternatives to treatment. They must also base treatment decisions on your religious beliefs and basic values, as well as any preferences previously expressed by you.

Q: What is the best way to make my preferences known to my family?

A: The best way to make your treatment decision preferences known is to execute a written advance medical directive. An advance medical directive combines a living will with a medical power of attorney. In the living will portion of the advance medical directive, you give directions about whether you would want life-prolonging procedures such as a feeding tube to be provided or withheld should you have a terminal condition. In the medical power of attorney portion, you name an agent to make treatment decisions for you if you are unable to make them yourself.

Q: How is it determined that I am unable to make health care decisions for myself?

A: Your inability to make a health care decision for yourself must be certified in writing by your attending physician, as well as a second physician or clinical psychologist, and result from a disorder that either prevents you from communicating or impairs your judgment.

Q: Can my physician refuse to comply with the terms of my advance medical directive?

A: A physician is never required to render treatment that he or she determines to be medically or ethically inappropriate. If a physician disagrees with the terms of your advance directive, he must inform your agent and make a reasonable effort to transfer your care to another physician who is willing to comply with the terms of an advance directive.

Q: Who should I select to be my agent under the advance medical directive?

A: It is best to pick a responsible person who is willing to speak out, discuss sensitive issues, and handle conflict among family members. The person should understand your values and be able to separate his or her feelings regarding end-of-life decisions from yours.



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