

Durable Power of Attorney for Health Care vs. Living Will:



What you should know:

Advance directives are documents that describe what type of medical care you want in the future, or who you want to make decisions for you should you become unable to speak for yourself.

There are three types of advance directives:

A **Living Will** is a written document in which you inform doctors, family members, and others what type of medical care you wish to receive should you become terminally ill or permanently unconscious.

A **Durable Power of Attorney for Health Care** is a written document in which you appoint another individual to make medical treatment and related personal care decisions for you.

A **Do-Not-Resuscitate (DNR) Declaration** is a written document in which you state your wish that if your breathing and heartbeat stop, you do not want anyone to provide you cardiopulmonary resuscitation (CPR) and you wish for natural death to occur.

Why should you have an advance directive?

Individuals have their own values, wishes, and goals. Completing an advance directive helps to make sure your personal wishes concerning medical treatment will be followed when you are not able to express them.

Differences between a living will and durable power of attorney for health care

- A durable power of attorney for health care focuses on who will make health care decisions for you, while the focus of a living will is on what the decisions should be.
- In Michigan, a living will is not legally binding while a durable power of attorney for health care is.
- A durable power of attorney for health care is more flexible than a living will as a patient advocate can respond to unexpected circumstances.
- With a living will, providers may not interpret instructions as the individual intended.
- A living will may only take effect after you have been diagnosed as terminally ill or permanently unconscious. A durable power of attorney for health care applies at all times you can not make your own health care decisions, including times of temporary limited capacity.



The ***Your Health Your Choice*** advance directive is a durable power of attorney for health care that allows individuals to name their patient advocate(s). It also provides individuals the opportunity to write out their wishes for future medical treatment as a guideline for their patient advocate(s).

The powers of a patient advocate

Your patient advocate can make decisions for you only when you become unable to participate in medical treatment decisions yourself. Until that time, you make your own decisions. If you do not provide your patient advocate written guidelines, he or she may make decisions about your medical care in what they see as your best interest.

Making your durable power of attorney for health care legal

Once you have identified your patient advocate you will need to:

- 1) Sign and date the document;
- 2) Have your signature witnessed by two adults who are not family members, your patient advocate, your doctor, or an employee of a health facility or program where you are a patient or client; and
- 3) Have your patient advocate complete a patient advocate acceptance form.

I already have an advance directive. Do I need advance care planning?

Yes. It is recommended that all advance directives be reviewed from time to time as things change—life situations, personal views and beliefs, and one's health. It is a good idea to review your advance directive with a certified advance care planning facilitator or your doctor to be certain your document is legal and clearly states your current wishes.

It is recommended to review your advance directive document every decade, when you experience the death of a loved one, after a divorce, after a serious health diagnosis, or when your health declines.



A community-wide project of the Greater Flint Health Coalition.

www.yourhealthyourchoice.org