Advanced Care Planning

Do you want to have a say in what health care treatments you do and do not receive, if you are unable to make decisions for yourself? Would your loved ones know what type of health care treatment that you would want and not want?

If you/your loved one has memory loss, now is the time to consider planning for future health care because you or your loved one’s memory could get worse. This may result in you/your loved one being unable to make health care decisions or provide permission to the hospital, or health care provider to disclose necessary medical information to family.

As part of responsible planning for the future, everyone should make an Advanced Care Plan. For some, the subject of advanced planning can be uncomfortable because it involves thinking about you/your loved one becoming more forgetful, ill, injured or dying. As tough as it maybe, now is the time to begin planning! Everyone will benefit from knowing your wishes. Your family may want to know about your wishes but are afraid to ask.

What is an Advanced Care Plan?
An advanced care plan is a written document that helps you to ensure that your care reflects your personal preferences and health needs, as well as, your social, cultural and religious requirements. It covers issues such as whether you want to be resuscitated or whether you want to have a mechanical ventilator breathe for you if needed. You can also specify how you want pain to be managed if it occurs and how you want other medical situations/complications managed should they occur.

Documents used in advanced care planning include:
- The Living Will
- Designation of Health Care Surrogate
- Durable Power of Attorney
- Do Not Resuscitate Order (DNR)
- Pre-Need Guardian

While these documents are not legally required, they are all recommended. Of the five advanced care planning documents, the durable power of attorney for both finances and healthcare is likely the most important.

Five Steps to Take to Plan for Your Future Care:
1. Research and consider your options
   - Speak with your physician and medical provider to learn about the various options and choices you have available.
   - Consult with an elder law attorney to learn about the legal ramifications of your choices.
   - Visit these websites to get more information on choices available:
     - [http://www.floridabar.org](http://www.floridabar.org) -Click on For the Public>Consumer Information>Living Will Forms

2. Think about your values and beliefs about health care. What is important to you? Sustaining life? Quality of life?
   - What medical care is acceptable to you?
   - Do you wish to be resuscitated if you stop breathing and/or your heart stops?
• Do you want to be hospitalized, stay at home, or somewhere else, if you are seriously or terminally ill?
• Whom do you want to make decisions for you if you are not able to make health care decisions? You may want different people to make the decisions?

3. Discuss your plans with your treating physician, family/significant other, religious/spiritual advisor and others important to you.
   • Telling people what you want helps them care for you according to your wishes. It may also increase communication about end of life needs and concerns, and make life less stressful for you and your family.
   • Knowing that you have arrangements for your care for the future may even be a relief.

   • Once you have made the choices as to what type of care you want and who you want to make decisions, document your wishes through the appropriate documents.
   • You can obtain the forms needed for the Designation of Health Care Surrogate and Living Will from the Florida Bar Association. These forms both need to be signed by two witnesses.
   • A Durable Power of Attorney and a Pre-Need Guardian are documents that can be prepared by an elder law attorney.
   • A Do Not Resuscitate Order (DNR) is a form that is completed and signed by both yourself and your doctor. This form is a legal-sized yellow form. You will need to contact your treating physician to discuss a DNR. An elder law attorney can provide assistance/advice with planning and preparing documentation.
   • Each state has its own laws concerning advanced directives. If your directive was created in another state, consult with an elder law attorney to ensure it is valid in Florida.
   • If you are a snowbird, it is wise to seek guidance from an elder law attorney on what language to include in your advanced directives. You may want to include language that ensures your directives meet the legal standard in both states, or you can prepare two sets of directives for each state you live in.

5. Provide a copy to your health care surrogate or power of attorney, physician, and other relevant family members you wish to share this information with.
   • Make sure you keep a copy of your advanced directives in a place that is easy to access in case you need to quickly take them to the hospital.
   • Many people keep their yellow DNR form on the refrigerator or other conspicuous place so that it is readily accessible to emergency personnel if needed.
   • Ensure that all your medical providers have a copy of your advanced directives. You will also need to take a copy of your advanced directives with you each time you go to the hospital.

This is a guide only and not intended as legal advice