

<http://www.doh.wa.gov/livingwill/> to register.

### **Can I change my Advance Directive?**

Yes. You may change or cancel your **Living Will** or **Durable Power of Attorney for Health Care** by destroying them, putting your changes in writing, or telling someone about the changes. You should destroy all old copies.

When changing any Advance Directive you should tell your family, doctor, attorney, and anyone else who may be involved in your health care. You must tell your doctor of any changes or they may not be effective. You should also update any Advance Directive you have registered at the Washington State Living Will Registry.

### **Will hospitals and doctors honor my Advance Directive?**

Yes. Hospitals and doctors support patients' rights to make their own medical decisions. They follow Advance Directives that meet state law and medical ethics standards.

Hospitals must tell you their policies on Advance Directives *and* if there are any conflicts they know of between your Advance Directive and hospital policies. If there is a conflict, but you want to continue treatment with a doctor or facility, a written plan of action must be agreed upon and included in your medical record.

If you have more than one type of Advance Directive and there is conflict between them, the newer document will be followed.

For more information on Advance Directives or a referral, please contact:

### **Your Hospital's Social Services Department**

**AARP (American Association of Retired Persons):**  
1-888-687-2277

**Northwest Justice Project  
Low-Income non-King County clients:**  
1-888-201-1014

**King County Bar Association:  
Attorneys for Low-Income clients:**  
(206) 267-7010

**Lawyer referral for all other clients:**  
(206) 623-2551

# **Your Rights and End-of-Life Care: Advance Directives**

You have the right to decide what type of medical care you want, even if you cannot speak for yourself.

Advance Directives are legal documents where you write down how you want your health care handled if you can no longer make or communicate decisions.

This brochure answers questions about how to make an Advance Directive in Washington State.

There are two types of Advance Directives:

- **Living Will**
- **Durable Power of Attorney for Health Care**

## **What is an Advance Directive and why do I need one?**

An "Advance Directive" is a legal document that gives instructions about your future medical care. With an Advance Directive, you can direct your medical care even when you are too ill to communicate or are unconscious. You may also use an Advance Directive to appoint a person other than yourself to make health care decisions for you. An Advance Directive is an excellent tool to help those who care for you provide you with the type of care you really want.

As long as you can say what care you want you can accept or refuse any medical care.

## **It is your choice whether or not to complete an Advance Directive--there is no legal requirement to have one.**

Under Washington State law, you have the right to make decisions about your medical care through Advance Directives. If you plan ahead, you can direct your care even while unable to communicate.

## **Do I have to have an Advance Directive to go to a hospital?**

No. Hospitals cannot discriminate based on whether a person has an Advance Directive. However, it is a good idea to have one in case you become unable to communicate your wishes.

## **What is a Living Will?**

This is a legal document completed by you that lets you tell your doctor what you *do* or *do not* want if you are diagnosed with a terminal condition or are permanently unconscious and unlikely to recover. You may choose to decline treatment that

prolongs the dying process.

## **What is a Durable Power of Attorney for Health Care?**

This is a legal document completed by you that identifies the person you want to make your health care decisions for you if you are unable to make them for yourself. You can say what health care decisions you want made for you and what those decisions should be. You can also decide when the Durable Power of Attorney for Health Care goes into effect.

## **What does terminal condition mean?**

This means a patient's condition is not curable, whether by injury, disease, or illness. In this situation, life-sustaining treatment serves only to prolong the process of dying. Your doctor decides if you have a terminal condition.

## **What does permanently unconscious mean?**

This means a patient has an incurable and irreversible condition from which he or she probably will not recover. Two doctors must agree when someone is permanently unconscious.

## **How do I prepare an Advance Directive?**

Forms are available for both types of Advance Directives from hospitals, doctors, advocacy organizations, or attorneys. An attorney may also help you prepare your Advance Directive.

**Living Wills** must be signed and dated by you in the presence of two witnesses. These two witnesses must also sign and cannot be: related to you by blood or marriage; in line to inherit your money or property if you die; people you owe money to; your doctor or your doctor's employees; or employees of the health care

facility where you are a patient or resident.

**A Durable Power of Attorney for Health Care** must be signed and dated by you. It is recommended that it also be notarized in case you take it out of state. The person you choose to make health care decisions for you should be someone you trust. The person you choose cannot be: your doctor; an employee of your doctor; or an administrator, owner, or employee of a health care facility in which you live or are a patient (unless the person is also your spouse, adult child, or sibling).

## **When does an Advance Directive become effective?**

A **Living Will** becomes effective after you sign it and when your doctor diagnoses you with a terminal condition or when two doctors diagnose you to be in a permanent unconscious state. You decide when a **Durable Power of Attorney for Health Care** becomes effective. It can be effective immediately, even if you are able to make decisions for yourself or it can become effective only when you are unable to make decisions.

## **Where should I keep my Advance Directive?**

You and your family should agree on a safe place to keep your original Advance Directive. You should give copies to your doctor, attorney, and anyone you appoint to make health care decision for you. If you are admitted to a hospital, take a copy with you. You can also register your Advance Directive at the Washington State Living Will Registry, which will allow health care providers to access your Advance Directive even if you do not have it with you. Go to: