



What You Need to Know About Advance Directives



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State law gives you the right to accept or reject medical treatment.

You also have the right to give directions - in advance - about the kind of healthcare you want (or do not want) if you need medical treatment but aren't able to speak for yourself or make your own decisions at the time you need care.

By completing simple form(s) today, you can control the healthcare treatments and services you receive (and do not receive) in these circumstances. These forms, called advance directives, name a trusted relative or friend to communicate on your behalf and list - in writing - the kinds of life-sustaining treatments you do (and do not) want.

The information in this folder answers commonly-asked questions about advance directives. It also includes power of attorney for healthcare and other forms you can choose to complete.

As always, we're here to help - give us a call at the number on the back of your health plan ID card if you have additional questions or want more information.

Common Questions

Power of Attorney for Healthcare

What is a power of attorney for healthcare?

A power of attorney for healthcare is a document you sign that names another person, called your "agent," to make healthcare decisions for you if you're unable to do so yourself.

Who can create a power of attorney for healthcare?

Any competent person who's at least 18 years old may create and sign a power of attorney for healthcare. Please consult a lawyer if you want legal advice.

Who can act as an agent?

Any person who's at least 18 years old and is able to understand and decide about healthcare matters can be an agent. However, no physician, nurse or other healthcare provider who's giving you treatment may act as your agent. Most people choose a trusted relative or friend.

What happens if I name my spouse as an agent and we later get divorced?

Your ex-spouse will no longer have authority to act under the power of attorney for healthcare. Even so, you should attempt to destroy all copies of the power of attorney, because doctors or hospitals may rely on it if they don't know about the divorce.

Will my agent be held liable for my healthcare costs?

No, your agent will not be held personally responsible for the cost of healthcare services and treatment that they arrange for you.

How do I create a power of attorney for healthcare?

Carefully read and fill out the forms provided in this folder. Make sure to have the proper individuals present before signing these forms - often witnesses are required and some states require the forms to be notarized.

What powers do I give to my agent by completing the form?

After the power of attorney for healthcare goes into effect, your agent - in the event that you're not able to make these decisions - may make any healthcare decision that you would've been able to make yourself. However, you can limit your agent's powers or give your agent special instructions by clearly stating them in your power of attorney.

How do I tell my agent what life-sustaining treatment(s) I want or do not want?

Talk personally with your agent and make sure they clearly understand your wishes about life-sustaining treatment, including what kind of treatments and services you want - and do not want - to receive. Also make sure to read and indicate your wishes clearly in the appropriate sections of the forms in this folder. You'll have the opportunity to give your agent the broadest power to decide about life-sustaining treatments - or to write your own instructions and/or limitations on the agent's authority to make these decisions.



Living Will

What is a living will?

A living will (also called a “declaration” or “healthcare directive”) is a document you sign that states that you do not want doctors to use death-delaying procedures if you develop a terminal condition.

Who can create a living will?

Any competent person at least 18 years old can create a living will.

How do I create a living will?

Carefully read and fill out the forms provided in this folder. Make sure to have the proper individuals present before signing these forms - two witnesses are usually required.

Who can witness the signing of my living will?

Anyone at least 18 years old who's not entitled to inherit from your estate or financially responsible for your medical care. The forms in this folder state any additional restrictions required by your state.

When does a living will take effect?

A living will takes effect when a doctor certifies you have a terminal condition (a condition that can't be cured and will likely lead to death). The forms in this folder state any additional criteria applicable in your state.

What is a death-delaying procedure?

Death-delaying procedures serve only to postpone the moment of death. They may include assisted ventilation, artificial kidney treatments, medication, blood transfusions and tube feeding.

If I have a living will, can I still receive pain medication?

Yes, your doctor can still provide you with pain medication or other care to make you comfortable.

What happens if I have a living will and a terminal illness and I'm pregnant?

A living will does not take effect so long as the attending doctor believes the fetus could develop to the point of live birth if the mother receives death-delaying procedures.

Other Important Questions

How is a power of attorney for healthcare different from a living will?

A living will takes effect only if you have a terminal illness and can't speak for yourself. Also, it only addresses decisions concerning life-sustaining treatment. A power of attorney for healthcare is broader and more flexible – and, in that way, it's preferable to a living will. Under a power of attorney for healthcare, your agent can make healthcare decisions for you in any situation when you're unable to do so.

Should I have both a power of attorney for healthcare and a living will?

Your living will does not take effect so long as your agent – under a power of attorney for healthcare – is available and willing to make life-sustaining treatment decisions for you. If you do not wish to be kept alive by life-sustaining treatment(s), you should consider signing both documents because:

- The living will reinforces the intent of the power of attorney for healthcare.
- Your agent under the power of attorney for healthcare may die or be unable or unwilling to act when it comes time to make healthcare decisions.

Will hospitals and doctors honor my living will and power of attorney for healthcare?

Healthcare providers must comply with the healthcare decisions of an agent or the directions stated in a living will unless they're morally opposed to them. If the provider is unwilling to comply, they must inform your agent, who is then responsible for arranging your transfer to another provider who will comply.

How long are my living will and power of attorney for healthcare effective for?

They remain valid until you revoke them.

What should I do with my signed power of attorney for healthcare and living will?

Copies should be given to the people you've named as the agent and successor agents under the power of attorney for healthcare. Give copies to your doctor(s), family and friends, and discuss your wishes with all of them as well. Let your agent know where you keep the original documents.



In case of an emergency, how will a hospital know that I have a living will or who my agent is?

A hospital can locate your agent or living will if you complete a healthcare agent / living will wallet identification card and carry it with you in your wallet or purse. This cannot guarantee that your wishes will be carried out, but it will go far in letting others know of them.

Can I revoke or change my power of attorney for healthcare or living will?

They can be revoked at any time, regardless of your physical or mental condition, by doing any one of the following:

- Tear up or otherwise destroy the document.
- Revoke the document in writing. Make sure to sign and date it or direct someone else to do it for you.
- Express (orally or otherwise), in the presence of a witness at least 18 years old, your intent to revoke the document. Have the witness sign and date a statement confirming that such an expression of intent was made.

To change your power of attorney for healthcare, write in the changes and sign and date the document. To change your living will, revoke the current form and sign a new one. Also, a court may revoke or change your document(s) if it believes clarification is needed or your agent is not acting in your best interests.

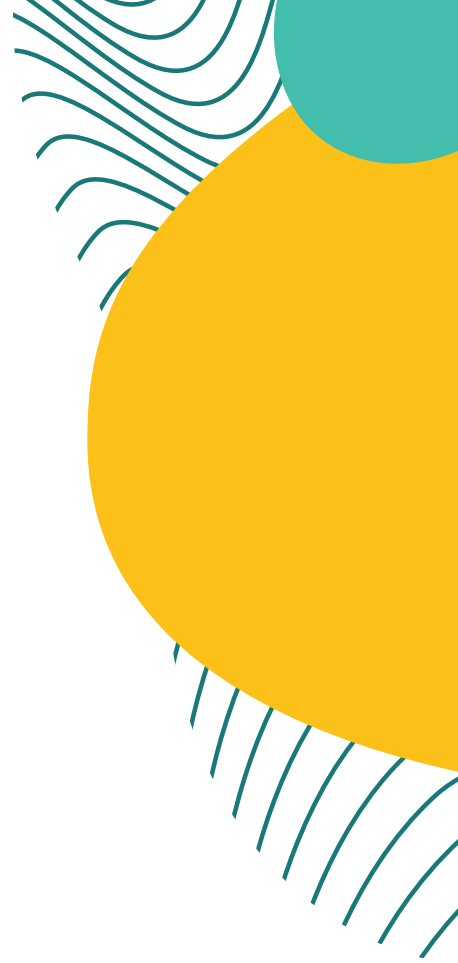
Should I have my living will and power of attorney for healthcare notarized?


It's recommended that you have your documents notarized, because some states require notarization.

Reach out to us for additional help.

We care deeply about you getting the care you need, that also fits your values and personal wishes. Give us a call at the number on the back of your health plan ID card if you have additional questions or want more information. We're here to help.

And be sure to check out [hally.com](https://www.hally.com) for even more help and resources for your health and wellbeing. It's our goal to give you the tips, tools, resources and information you need throughout your health journey.





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