

Advance Directive - What are they?

An advance directive is a document which contains two sections: The first section allows you to designate a health care agent and the other allows you to create a living will. A health care agent is someone who would make health care decisions for you if you become medically unable to do so. The living will portion allows you to indicate your preferences regarding life-sustaining treatments.

Why would I need one?

Having an advance directive gives you peace of mind in knowing that your health care wishes will be followed if there comes a time in which you are unable to communicate your wishes. This document also allows your health care providers to have a written guide in caring for you, knowing that they are following your personal health care choices.

When is the best time to fill one out?

The best time to fill out an advance directive is before a major illness or other crisis occurs. It is best to be able to have plenty of time to think about the questions and to be able to have the discussion with your loved ones so that there would be no question as to what your wishes would be.

What do they not cover?

Advance directives do not cover financial matters, property, or other personal possessions. They cannot designate someone as a general power of attorney. An advance directive does not give your health care agent access to your medical records. They only cover health care matters relating to medical decisions.

How do I go about filling one out?

You can contact your team social worker directly or let your health care provider know that you are interested and they will contact the appropriate personnel for you. There are designated individuals at the VA who are trained to assist patients in filling out advance directives.

Are there times when doctors will not honor them?

VA policy (Medical Center Memorandum 11-12) requires that if a patient has an advance directive, health care providers must follow the patient's wishes as they are written. General advance directives are suspended during surgery and in emergency vehicles however, so in those situations the VA advance directive would not be honored.

How long does it take to fill out?

The VA form estimates 30-minutes but the actual time varies. In some situations people may need longer to discuss some of the questions, and in others people may have already had the discussion with their family and be ready to fill the form out. There is no time limit, the important thing is that your wishes are documented in a manner that you are comfortable with.

What is on the form?

The advance directive can be filled out on the paper form or electronically with a social worker or other trained personnel.

- The first part of the advance directive allows you to designate your health care agent. You will need to know at least one phone number at which your health care agent can be reached. The form also gives you the option of naming an alternate health care agent who would be contacted in the event your health care agent is unavailable or otherwise unable to make health care decisions on your behalf.
- The second part of the advance directive is the living will portion. It contains medical scenarios to which you can indicate whether or not you would want to have life-sustaining treatment. You can answer some, all, or none of these statements.
- Following this section there is an area for you to write in any additional, more specific instructions you may have regarding your care if you desire to do so. You are then able to provide instructions on how strictly you would like your advance directive to be followed; it can serve as a general guide for the health care team or it can be a strict directive.

Does my family need to be present?

While it is not necessary for your family to be present, it is recommended that whomever you have designated as your health care agent is present. If they are unable to be present, it is important you let them know that you

have designated them as your health care agent and go over your advance directive with them.

Who can be a witness?

Social workers, chaplains, and other non-clinical staff such as medical support assistants, environmental management service technicians, and pharmacy technicians may be your witness. Relatives, individuals who would benefit financially from you filling out an advance directive, or clinical hospital staff cannot serve as witnesses to your signature.

Do I need to have my advance directive notarized?

If you have all of your medical care in the VA hospital system, you do not need to have it notarized. If you receive health care at state facilities or outside of the state of Indiana at non-VA medical facilities, we recommend that you have your advance directive notarized. We have notaries available on the VA campus who would be happy to assist you in this process if you are interested.

Myths and Facts

1. Myth: Advance directives are the same as a DNR (Do Not Resuscitate)

Fact: A DNR must be signed by a doctor and means that if your heart or breathing stops, you do not want it restarted. An advance directive allows you to identify someone as a health care agent. This is a person you choose to make decisions about your health care if you can't. An advance directive also allows you to state your health care choices about life support treatments in certain medical situations.

2. Myth: I have to have an advance directive in order to receive medical care.

Fact: You do not have to have an advance directive to receive medical care. We recommend that you have one.

3. Myth: Advance directives are for "old people".

Fact: None of us knows what will happen. Even young people can be injured or become very ill. Terri Schiavo was only 27 years old when she collapsed. She did not have a written record of her health care wishes and remained on

a feeding tube for fifteen years. Her case reminds us how important advance directives can be at any age.

4. Myth: If I have an advance directive, I won't get the care I need.

Fact: An advance directive is only used if you are unable to make health care decisions for yourself. Unless that happens, you and your provider make decisions together about your health care needs. Your care will not change based on whether or not you have an advance directive.

5. Myth: Advance directives or living wills can take care of my finances.

Fact: Advance directives and living wills only cover health care. They have nothing to do with money, estates, or personal items. These matters must be handled by a lawyer or other legal counsel.

6. Myth: My family will make health care decisions for me if I don't have an advance directive.

Fact: If you can't make your own health care decisions, your provider will talk to your closest living relative about your health care needs. If you do not have an advance directive, it may be difficult for family members and other loved ones to be faced with such decisions. Having your choices clearly written in an advance directive may be helpful to you and to your family. You will know that your wishes will be carried out and they will know your wishes are being followed.

7. Myth: If I name a health care agent, I will be giving up control of my medical decisions.

Fact: Your health care agent can only make health care decisions for you if you are unable to make your own. Medical staff cannot legally ignore your wishes while you are still able to make your own health care decisions. As long as you are medically able, you will be in charge of your medical decisions.

8. Myth: I need a lawyer to create an Advance Directive

Fact: At the VA, two people need to witness you signing your advance directive in order for it to be official. These witnesses cannot be family members or medical personnel. They can be a social worker, close friend, chaplain, or other non-clinical VA staff.

9. Myth: If I am being asked about creating an advance directive, then I must be very ill or there is something very wrong with my health.

Fact: The best time to fill out an advance directive is when you are healthy. It is harder to make decisions during a crisis. Family may have to try to make these decisions for you, if you can't. If you make your wishes clear ahead of time, no one has to wonder about what is the right thing to do for you.

10. Myth: Doctors and other health care providers do not legally have to follow my advance directive.

Fact: The VA follows the federal law governing advance directives. VA policy (Medical Center Memorandum 11-12) says that if a patient has an advance directive, then "health care providers have a duty to act consistently with the patient's wishes as contained in the document". Please note that during surgery, all DNRs and advance directives are suspended.

To get your Advance Directive, contact your team's social worker or health care provider. If you are unsure how to contact your social worker or health care provider, call the medical center at 317-554-0000 or toll free 888-878-6889 for assistance.