Advance Directive

Health Care Proxy

June 2, 2015

Health Care Proxy (Massachusetts name)

Durable Power of Attorney for Health Care (New Hampshire name)

This is for health care decisions only. Not to be confused with a Power of Attorney (which is for legal decisions other than health care).

* Who: “agent” is the person you select to make decisions for you if you are unable to do so.
* This person CANNOT be your doctor or someone who works at your health care facility (unless they are a relative), and must be at least 18 years old.
* You may select an “alternate” who would act if the other person was unable or unwilling.
* Let the person know they have been selected as your agent.
* Make copies of the notarized form and give to your agent, doctor, health care facility, health care providers, family. Copies are acceptable. Recommend: have a copy easily accessible at home in case you go to the hospital unexpectedly.

You make all your own decisions unless

* A doctor “documents” that you are unable to make your own decisions in the following conditions
  + You are unconscious.
  + You are unable to comprehend (lack “capacity”).

Your agent makes decisions on your behalf

* With information from your doctor and health care team.
* With legal access to any information about your health records to make informed decisions for you.
* If the agent is unsure of your desires in the specific health scenario,he/she is expected to act in your best interests given what they know about you and your wishes. THEREFORE, your agent needs the best understanding possible of your desires and what is important to you.
* Your agent needs to be willing and able to carry out the wishes you convey to him/her.
* You may revoke (change) your agent at any time.
* If your agent is your spouse and you are legally separated or divorced at the time the health situation occurs, s/he is cancelled as your agent automatically.

Health Care Proxy Form considerations

* It is optional to have your agent and alternate sign the form.
* Details about your wishes can help. However, one cannot anticipate all possible health scenarios, so making the most minimal restrictions on your form is recommended.
  + Consider your health history and likely possible disease advancements. (i.e. cardiac history, lung issues, kidney issues, other chronic conditions or diseases).
  + What progressive issues are common to people with your conditions/illnesses.
  + Extrordinary events – heart/brain
    - DNR – do not resussitate (do not restart heart)
    - DNI – do not intubate (do not put breathing tube in for artificial breathing)
    - Note: these two interventions go together in order to be most effective.
* Have the conversation with your agent about what is important to you and your wishes and desires in a critical health event or end of life situation.