

Giving Voice To Your Choice



**Exercise
your**



**RIGHTS
CT!**

Advance Directives for Health Care

What does Advance Directive for Health Care mean?



- Advance =
Ahead of Time
- Directive =
Decision/Choice
- Health Care =
Physical and Mental
Health Care

An Advance Directive is different than a Wellness Recovery Action Plan (WRAP)

- May contain similar information
- A WRAP can make preparing an Advance Directive simpler.
- A WRAP is NOT a legal document



What is an Advance Directive for Health Care?



An Advance Directive for Health Care is a **LEGAL DOCUMENT** that allows you to influence your health care treatment when you are unable to do so.



Why are Advance Directives Important?

Judges, hearing officers and conservators
MUST:

- consider choices and
- respect preferences in an advance directive.



An Advance Directive Can

- Collect information about treatments people do and don't want.
- Tell providers the kinds of interventions that do and don't work.
- Designate a health care decision maker who will follow instructions in the Advance Directive.



It's About Choice

- There are different sections of Advance Directives:
 - Medications
 - Other Treatments
 - Doctors
 - Health Care Decision Maker

NOT ALL SECTIONS NEED TO BE COMPLETED



ADVANCE DIRECTIVES

Studies show that they:

- Promote Choice and Recovery
- Reduce Critical Incidents
- Maintain Therapeutic Relationships

Are there any choices I cannot make?



- Emergency treatment
- Some treatment is controlled by law

Examples include:

E.C.T.

Commitment

Involuntary Medication

Who can make an Advance Directive for Health Care?



Competent adults (18+)
can make an Advance
Directive.



What if a Person has a Conservator of the Estate

- If an individual **ONLY** has a Conservator of Estate, they can execute an advance directive.



What if a Person has a Conservator of the Person

- If an individual already has a Conservator of Person, you can **REFER THEM TO CONNECTICUT LEGAL RIGHTS PROJECT** to discuss their legal options.



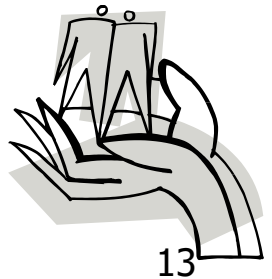
Health Care Decision Makers:

Who **CAN** be a Health Care Decision Maker?

Almost **any competent adult (18+)** including friends and family members you trust.

Who **CANNOT** be a Health Care Decision Maker?

Any **doctor or employee** of a health care provider or facility where you are receiving treatment (unless you are related by blood, marriage, or adoption).





Choosing a Health Care Decision Maker

- It is important to identify a person who is:
 - Trusted
 - Comfortable interacting with providers
 - Understands your preferences



What can a Health Care Decision Maker do?

- Make your health care decisions if you lose the ability to make these decisions for yourself;
- Advocate for you when you are unable to advocate for yourself;
- Ensure that your choices are respected; and
- Contact lawyers for assistance in enforcing your advance directive if your wishes are being ignored.



Decisions Not Covered by Advance Directives

- A Health Care Decision Maker must make the choices s/he thinks you would make, **NOT** what they think is best for you.



Role of Health Care Decision Maker

- A health care decision maker is authorized to give INFORMED CONSENT when you can't.



What is informed consent?

Informed consent means that you:

- voluntarily agree to treatment
- after you have been given certain information.



Informed Consent

Requires the following information:

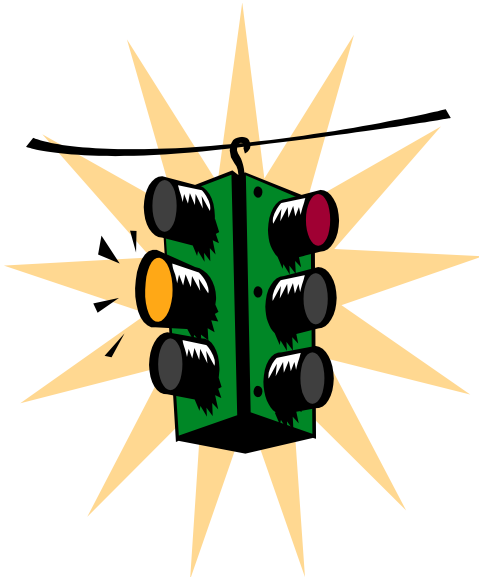
- Reason for the treatment;
- Nature of the treatment;
- Potential benefits of the treatment;
- Potential risks of having the treatment;
- Potential risks of not having the treatment;
- Any medically acceptable alternative treatment.

When does an Advance Directive for Health Care go into effect?

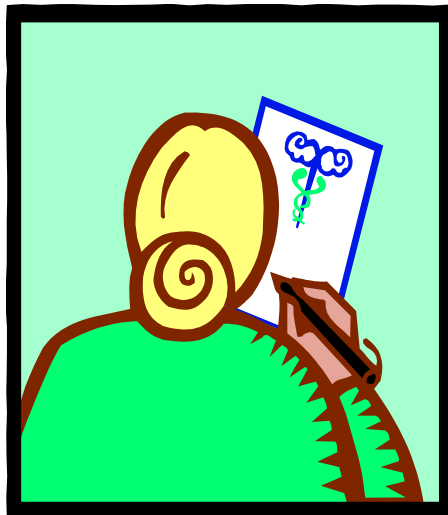
- After it has been executed following proper legal procedures

AND

- You are unable to make and/or express your own health care decisions



Who decides if I can make my own health care decisions



- Your attending doctor or
- A court



How Long Does My Advance Directive Last?

- In Connecticut, there is no automatic time limit on an advance directive.
- They should be reviewed regularly to keep accurate and update releases.



Changing/Revoking the Advance Directive

- There are procedures to change or cancel the advance directive.
- To avoid confusion, it's best to consult CLRP.



Recent Example

- Hospital Emergency Room staff used instructions in an advance directive it had on file to calm an individual who was at risk of getting out of control due to anxiety.



Another Example

- One CLRP client has used her advance directive as a tool to educate her family members about her preferences.

“Having an advance directive makes me feel more in control of my treatment and feel more empowered”.



Does a health care provider have to follow an Advance Directive for Health Care?

Health care providers must follow both:

- The person's individual health care instructions

and

- The decisions made on the person's behalf by the health care decision maker.



Does a health care provider have to follow an Advance Directive for Health Care? *(continued)*

Federal law requires that health care providers:

- Distribute their written policies concerning advance directives.
- Inquire about advance directives during hospital admission.



To Learn More: CLRP Flyers

- Basics of Advance Directives for Health Care
- Choosing a Health Care Representative
- How to be an Effective Health Care Representative