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*Planning for the life you deserve*

## HEALTH CARE DIRECTIVES One of the Most Essential Legal Documents

### What is required in a Health Care Directive?

- Must be executed by someone with capacity (ability to understand the document)
- Must have one or more health care instructions for others to follow
- May include a health care power of attorney to appoint an agent if principle lacks capacity

### Why is it important to have a HCD?

- It protects your right to make medical choices even if you are unable to speak for yourself
- If your health care agent is available, he/she will honor your wishes and speak for you
- If your agent is unavailable, your physicians can use your HCD to help guide them until an agent can be reached or until you can communicate for yourself

### What can happen if you do not have a HCD?

- There is no way to insure your treatment preferences are followed
- You may need appointment of a Guardian to make personal care decisions which requires a court proceeding
- You will still receive medical treatment if you don't have a HCD and cannot speak for yourself

### Where can I find a HCD?

- National Healthcare Decisions Day website: <http://www.mnhealthcaredecisions.info/>
- Primary doctor's office, attorney's office
- Local hospital or clinic (most healthcare organizations have their own form)

### MOST IMPORTANTLY:

As essential as the legally executed document is, it is critically important to have conversations with your agent about what you want done medically if you cannot speak for yourself. This will enable your agent to make decisions with confidence. It will diminish doubt, guilt and anxiety over whether they are doing the right thing. Consider it a gift for those to whom you entrust these decisions.

**Disclaimer:** This has been prepared for general information purposes only. This is information not legal advice. Legal advice is dependent upon the specific circumstances of each situation. The information contained in this presentation should not replace the advice of competent legal counsel licensed in your state.

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