

Questions and Answers about **Advance Directives**

What is an Advance Directive?

It is a form that states your wishes for medical treatment or who can make treatment choices for you if you are not able to. A signed Advance Directive only takes effect if you become mentally or physically unable to express your wishes.

Isn't that a living will?

A living will is only one kind of advance directive. Texas law calls a living will a "Directive to Physicians and Family or Surrogates." There are other types of directives in Texas.

What are the types of directives?

Texas law provides four directive forms:

- Directive to Physicians and Family or Surrogates (Living Will)
- Medical Power of Attorney
- Out-of-Hospital Do-Not-Resuscitate (DNR) Order
- Mental Health Treatment Declaration.

What if I execute a directive and then I change my mind?

You may revoke a directive at any time without regard to your mental capacity. You may cancel it, tear it up, mark through it, burn it, tell someone or sign a written revocation. It takes effect as soon as someone tells the doctor.

Where do you get directives?

Many health care providers including The Center for Cancer and Blood Disorders have blank copies of directives. The Out-of-Hospital DNR must be on the official Texas form and signed by a doctor to be valid. The other documents only need to be witnessed. They do **not** have to be notarized.

What if I have a heart attack? If I have a "Directive to Physicians and Family or Surrogates" will the doctors refuse to treat me?

No. A Directive does not mean that emergency or other medical care will not be provided to you. Many people have advance directives and are treated for things like stroke and heart attacks everyday. The difference is that if, for instance, a condition left you very near death and paralyzed with no hope of recovery, then the advance directive would allow the doctors to follow your wishes.

I already have a power of attorney - what is the difference between this one and the one I already have?

A general power of attorney controls your real and personal property and has nothing to do with health care decisions for you. A person holding a medical power of attorney can only make decisions regarding your health care and has no power over your property.

See forms at: http://www.dads.state.tx.us/news_info/publications/handbooks/index.html