

## ADVANCE DIRECTIVES

In accordance with federal and state laws, Zale Lipshy University Hospital shall respect valid Advance Directives (i.e. Directives to Physicians and Durable Powers of Attorney for Health Care).

Both documents deal with your specific instructions concerning your medical treatment and the authorized agent responsible for making those decisions.

When you need medical care, certain decisions need to be made involving the kind of care to be given. These decisions may become harder if you become unable to tell your doctor and family what kind of medical care you want.

Every adult of sound mind has the right to decide what may be done to his or her body. As a patient, you have the right to be told about your condition, the proposed treatment and treatments available. This information helps you make an informed decision about accepting or choosing not to have the treatment your doctor has discussed with you.

This is a way under Texas law for you to make “Advance Directives” regarding your medical care, that is, you may make your wishes concerning your medical care known before you actually need such care. An “Advance Directive” is followed when you are mentally or physically not able to express your wished.

❑ ***What are Zale Lipshy University Hospital’s policies on consenting to medical treatment?***

Zale Lipshy University Hospital (ZLUH) is committed to honor patient’s rights to make his or her own medical decisions, including the right to refuse treatment. ZLUH has adopted formal policies to respect your right to make an informed decision concerning your medical care to the extent permitted by law. In addition, the policies acknowledge a patient’s right to have “Advance Directives” and to honor treatment decisions made by a patient’s agent under patient’s medical power of attorney. The policies describe the ways to inform a patient about “Advance Directives”. If you would like to have more information about these policies, contact our nurse or doctor.

❑ ***What is an Advance Directive?***

An Advance Directive is a type of form that allows you to state your choices for medical treatment before your actually need such care. It may also name a person to make treatment choices for you. A signed Advance Directive will only be followed at the time you become mentally or physically unable to make medical care decisions or state your wishes. The four kinds of Advance Directives recognized in Texas are:

1. **Directive to Physicians and Family or Surrogates**

(Also known as a “Living Will”)

A Directive to Physicians and Family or Surrogates, also know as a “Living Will” is a form that allows you to tell your doctor and those close to you what you wish to be done or not done should you need life-sustaining treatment. Your Living Will is followed when your doctor has determined that you have a terminal or irreversible illness and you are not able to determine your wishes. Life-sustaining treatment is a treatment or procedure that includes life-sustaining medications and artificial life support such as mechanical breathing machines; kidney dialysis and artificial nutrition and hydration that are not expected to cure your condition and are only prolonging death. A Living Will can only be followed if you have been diagnosed with a terminal or irreversible illness and you are unable to tell others what treatments your wish or do not wish to have. Before signing a Living Will, you should consider how you feel about the use of life-sustaining treatments during a terminal or irreversible illness.

2. **Medical Power of Attorney**

(formerly called a Durable Power of Attorney for Health Care)

A Medical Power of Attorney is a form that allows you to appoint someone you trust (“your agent”) to make medical care decisions for you should you become unable to make these decisions for yourself. The person you choose as your agent may make health care decisions on your behalf **only** when your doctor decides that you are unable to make them yourself. Your agent is able to make a broad range of medical care decisions for you including agreeing to or

refusing medical care, deciding to stop medical care and deciding to stop or not start life-sustaining treatment. This form applies only to your medical care, not your business affairs.

### 3. **Declaration for Mental Health Treatment**

Another type of Advance Directive is a form that deals with mental health treatment issues only. A Declaration for Mental Health Treatment allows you to tell health care providers your choices for mental health treatment, should you become unable to make decisions as a result of mental health services you do or do not agree to (including psychoactive medications, convulsive treatment and choices for emergency treatment such as restraint, seclusion or medication). You may obtain forms for the Declaration of Mental Health Treatment from a psychiatrist, psychologist, licensed social worker, other mental health providers or an attorney. A copy of the signed form should be provided to your doctor, family members, significant other, person you have chosen as your health care agent and/or your attorney.

**NOTE:**ZLUH, in accordance with federal law, provides written information to all adult inpatients on admission regarding their right to a declaration for mental health treatment, and the written policies and procedures of the facility about these rights.

❑ ***Where should I keep my Advance Directives?***

You should keep the original Advance Directive forms that you sign and give a copy to your regular doctor and others who are likely to be with you if you become seriously ill. Give a copy of your Living Will and your Medical Power of Attorney to the person you have chosen as your agent. You should keep a record of everyone who has a copy. Remember you can change or cancel an Advance Directive at any time. If you wish to cancel an Advance Directive while you are in the hospital, tell your doctor, family, health care agent or others who need to know.

❑ ***Do I have to have an Advance Directive?***

No one may force you to sign an Advance Directive. No one may deny you medical care or insurance coverage because you choose not to sign one. You are not required to complete Advance Directives as part of patient registration in a hospital, nursing home or home health care agency. If you do sign one, it will not affect any of your rights to consent to or refuse medical treatment.

❑ ***What if I don't have an Advance Directive?***

If you have not signed an Advance Directive and you become ill and cannot state your wishes, your attending physician and certain family members can make decisions about your care.

❑ ***Where can I get the forms for a "Living Will" or Medical Power of Attorney?***

You can obtain Texas Living Will and Medical Power of Attorney forms through the Spiritual Health Department. This department can provide you with information about Advance Directives. If you have questions, consult with your doctor, clergy or attorney.

❑ ***It's not too early.***

It is never too soon to talk about serious illness and what treatments you would desire if you were too sick or unable to state the treatment you would want to take. This topic is important for everyone to think about.

If you have signed and authorized either or both of these documents, we must have copies on file if you want them in effect during your stay.

For further information, please request an Advance Directives brochure or request a visit from Chaplain Services at 214-590-3160 or dial ext 23160.

Complaints concerning non-compliance with federal and state Advance Directive requirements may be filed with the:

Texas Department of Health  
Health Facility Licensure and Certification Division  
1100 West 49<sup>th</sup> Street  
Austin, Texas, 78756

Or by calling 800-228-1570