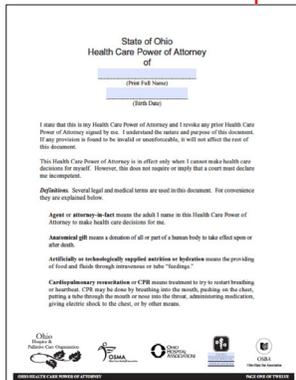




Health Care Power of Attorney

A Health Care Power of Attorney is a legal paper where you let another person (*your "agent"*) make health care decisions for you when you cannot make them for yourself.



Not just for end-of-life

A Health Care Power of Attorney allows your Agent to make health care decisions any time you cannot decide for yourself, if you are temporarily unconscious, for example.

Use the form

Use the approved form that looks like this. Read and understand the entire form. If you have any questions, talk to a lawyer.



Not a Financial Power of Attorney

A health care power of attorney is not the same as a financial power of attorney.

How do I pick an Agent?

Pick someone you trust who will be able to handle stressful situations and understand medical information from your doctors. You usually can't name your doctor or employees of your nursing home as your Agent.

Can I pick a back-up Agent?

You can also name an alternate or back-up Agent who can act as your Agent if your Agent is unavailable.

What CAN my Agent do?

Your Agent can make important decisions about your health care. Review what you are allowing your Agent to do. Cross out any items you don't like.

What CAN'T my Agent do?

Your Agent can't:

- withhold pain relief or comfort care; or
- withdraw life sustaining treatment unless you authorize it; or
- do other things you list in the POA.

What is a Guardian?

A Guardian is someone appointed by a probate court to handle decisions for you. You may need a Guardian if you have not planned ahead with a Health Care Power of Attorney.

How long does the POA last?

The POA lasts until you revoke it in writing OR sign a new one – even if you become incapacitated.



Sign and notarize

You must sign the form in front of a notary OR in front of two witnesses. You must be an adult, of sound mind, and acting of your own free will for the form to be valid.

What next?

- Talk to your Agent.
- Give copies of your POA to your Agent, alternate Agent(s), doctors and medical providers, and anyone else you want to know that you have a POA. This could include family members, your attorney, religious advisor, or others.



Legal Aid of Western Ohio, Inc. is a non-profit law firm serving the civil legal needs of western Ohio's low-income individuals, families and seniors. This information is not legal advice. It is general information. It is not a substitute for talking to a lawyer about your situation. You may still need help from a lawyer. **Find videos, forms, helpful links and more at: www.legalaidline.org.** Last updated October 2018

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Living Wills

A Living Will is a legal paper that allows you to say ahead of time what health care you want to receive if you are terminally ill or permanently unconscious and can no longer make your wishes known.

How does a Living Will work?

If you are terminally ill or permanently unconscious, a Living Will lets you tell your doctor that you wish to have comfort care and pain relief, but you wish to be allowed to die naturally - without artificial means that prolong your death.



You may tell your doctor in advance:

- Not to administer life sustaining treatments, including CPR;
- To withhold or withdraw artificially or technologically supplied nutrition or hydration (*For example – feeding tube or intravenous/IV fluids*);
- To issue a Do Not Resuscitate Order (DNR);
- To take no action to postpone your death;
- To provide care needed for your comfort and pain relief.

Should everyone have a Living Will?

No. If you want to be kept alive as long as possible using all means available, you should NOT complete a Living Will.

Will my family be notified before treatment is withdrawn or withheld?

Yes. You can list who you want your doctor to notify if life sustaining treatment is withheld or withdrawn. If you do not list anyone, your doctor will try to notify your family members or guardian.

If I have a Living Will, will I still receive comfort care and pain relief?

Absolutely! Your doctor will always give you comfort care and pain relief.

Definitions

Permanently Unconscious State

Your doctor and at least one other doctor agree that:

- You are unaware of yourself and your surroundings;
- Your condition can't be reversed; and
- You have lost higher brain function.

Life Sustaining Treatment

Care that mainly prolongs the process of dying.

Terminal Condition

Your doctor and at least one other doctor agree that:

- Your illness cannot be cured; and
- Death will occur soon without life sustaining treatment.

Last Will and Testament

A document that expresses your wishes about how you want to distribute your property when you die. A Last Will & Testament is NOT a Living Will.



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