**ADVANCE DIRECTIVES FACT SHEET**

**What is an advance directive?**

An advance directive is a written or oral statement, which is made and witnessed in advance of serious illness or injury, about how you want medical decisions made. Two forms of advance directives are:

- A Living Will and
- A Health Care Surrogate Designation.

An advance directive allows you to state your choices about health care or to name someone to make those choices for you, if you become unable to make decisions about your medical treatment.

**What is a living will?**

A living will generally states the kind of medical care you want or do not want if you become unable to make your own decisions. It is called a living will because it takes affect while you are still living. Florida law provides a suggested form for a living will. You may use it or some other form. You may wish to speak to an attorney or physician to be certain you have completed the living will in a way so that your wishes will be understood.

**What is a health care surrogate designation?**

A health care surrogate designation is a signed, dated and witnessed paper naming another person such as a husband, wife, daughter, son or close friend as your agent to make medical decisions for you, if you should become unable to make them for yourself. You can include instructions about any treatment you want or wish to avoid. Florida law provides a suggested form for designation of a health care surrogate. You may use it or some other form. You may wish to name a second person to stand in for you, if your first choice is not available.

**Which is better?**

You may wish to have both or combine them into a single document that describes treatment choices in a variety of situations and names someone to make decisions for you should you be unable to make decisions for yourself.

**Do I have to write an advance directive under Florida law?**

No, there is no legal requirement to complete an advance directive. However, if you have not made an advance directive or designated a health care surrogate, health care decisions may be made for you by a court-appointed guardian, your spouse, your adult child, your parent, your adult sibling, an adult relative, or a close friend in that order. This person would be called a proxy.

**Can I change my mind after I write a living will or designate a health care surrogate?**

Yes, you may change or cancel these documents at any time. Any changes should be written, signed and dated. You can also change an advance directive by oral statement.

**What if I have filled out an advance directive in another state and need treatment in a health care facility in Florida?**

An advance directive completed in another state, in compliance with the other state's law, can be honored in Florida.

**What should I do with my advance directive if I choose to have one?**

Make sure that someone such as your doctor, lawyer or family member knows that you have an advance directive and where it is located. Consider the following:

- If you have designated a health care surrogate, give a copy of the written designation form or the original to the person.
- Give a copy of your advance directive to your doctor for your medical file.
- Keep a copy of your advance directive in a place where it can be found easily.
Keep a card or note in your purse or wallet, which states that you have an advance directive and where it is located.

If you change your advance directive, make sure your doctor, lawyer and/or family member has the latest copy.

### Additional Information Regarding Health Care Advance Directives

Florida law (Chapter 765, Florida Statutes) addresses the two most common documents through which individuals may make their wishes known: the living will and the health care surrogate designation. Suggested forms for living will declarations and health surrogate designations are also included in the law. Copies of these forms are included in this document. The procedures are simple and do not require an attorney, although you may consult one if you feel more comfortable. The documents may be properly executed with the signature of two witnesses, one of whom is neither a spouse nor a blood relative.

Before making a decision about advance directives, however, you might want to review other sources of information, including the following:

- **Pre-hospital Do Not Resuscitate Order (DNRO)** - This document is also allowed by Florida law. The form, issued by the Department of Health, relates to your advance directives should there be an occasion for Emergency Medical Services (EMS) prior to admittance to a hospital.

- **A durable power of attorney**, which designates someone to act in your behalf for a variety of activities (financial management, etc.), may also include your health care advance directives. You should consult an attorney about preparation of this document.

- **There are various forms** that satisfy the requirements of Florida law regarding the living will. Many are more detailed than the basic form provided in this document. Some forms, such as the FIVE WISHES produced by the Commission on Aging with Dignity, allow you to specify or complete a checklist of details regarding your wishes. Included are such items as assistance with breathing, food by tubes, fluid intake by needles, surgery that is life saving but won’t improve or cure your condition, and pain medications to keep you comfortable.

A number of organizations have forms for advance directives you might want to review. Some of these sources are listed below.

- **Pre-hospital Do Not Resuscitate Order (DNRO)**
  - Bureau of Emergency Medical Services
  - 2020 Capital Circle SE, Bin C18
  - Tallahassee, FL 32399-1738
  - Telephone: (850) 245-4440, Ext. 2742

- **FIVE WISHES Living Will and Health Care Surrogate Forms**
  - Commission on Aging with Dignity
  - P.O. Box 11180
  - Tallahassee, FL 32302-1180
  - 1-888-5-WISHES

- **Making Your Wishes Known - Basic Information with Documents and Forms**
  - Northwest Florida/Big Bend Health Councils
  - (850) 872-4128

Additional Sources for Information and Forms:
- Local hospitals, nursing homes, hospices and home health services;
- AARP Membership Communications
  - 601 E. Street NW Washington, DC
  - 1-800-424-3410