

Completing Your Pennsylvania Advance Health Care Directive / Living Will

What is an Advance Health Care Directive?

An advance health care directive is a written set of instructions expressing your wishes for medical treatment. It may contain a health care power of attorney, where you name a person called a "health care agent" to decide treatment for you, and a living will, where you tell your health care agent and health care providers your choices regarding the initiation, continuation, withholding or withdrawal of life-sustaining treatment and other specific directions.

How do I make my Pennsylvania Advance Health Care Directive legal?

- In order to make your advance health care directive legally binding, you must date and sign it, or direct another to do so, in the presence of two witnesses.
- Both of your witnesses must be 18 years or older and, if you are unable to sign your Directive, neither witness can be the person who signed the Directive on your behalf.

Whom should I appoint as my health care agent?

- Your health care agent is the person you appoint to make decisions about your health care if you become unable to make those decisions yourself.
- Your health care agent may be a family member or a close friend whom you trust to make serious decisions.
- The person you name as your health care agent should clearly understand your wishes and be willing to accept the responsibility of making health care decisions for you.
- You can appoint a second person as your alternate agent. The alternate will step in if the first person you name as a health care agent is unable, unwilling, or unavailable to act for you.
- Unless he or she is related to you, you may not appoint as your agent:
 - Your attending physician or other health care provider, or
 - The owner, operator, or employee of a health care facility where you are receiving care.

Can I add personal instructions to my advance health care directive?

- One of the strongest reasons for naming an agent is to have someone who can respond flexibly as your health care situation changes and deal with situations that you did not foresee. If you add instructions to this document it may help your agent carry out your wishes, but be careful that you do not unintentionally restrict your agent's power to act in your best interest.
- In any event, be sure to talk with your agent about your future medical care and describe what you consider to be an acceptable "quality of life."

What if I change my mind?

- You may revoke your Pennsylvania Advance Health Care Directive at any time and in any manner.
- Your revocation becomes effective when you, or a witness to your revocation, notify your doctor or other health care provider.
- Unless you specify otherwise, if you have appointed your spouse as your agent, your appointment is automatically revoked if either of you file a divorce action.

- You may specify on the form that you want your spouse to continue to be your agent even if a divorce action is filed if you do not want such an automatic revocation to occur.

What other important facts should I know?

- You should give a copy of your advance health care directive (a living will, health care power of attorney or a document containing both) to your health care agent, your physicians, family members and others whom you expect would likely attend to your needs if you become unable to understand, make or communicate decisions about medical care.
- If you decide to use the Living Will Template for VFW or create your own advance health care directive, you should consult with your physician and your attorney to make sure that your wishes are clearly expressed and comply with the law.
- If you decide to use the Living Will Template for VFW but disagree with any of its statements, you may cross out those statements. You may add comments to the Template or use your own form to help your physician or health care agent decide your medical care.
- A pregnant patient's Pennsylvania Directive will not be honored, due to restrictions in the State law, unless life-sustaining treatment will not permit the development and live birth of the unborn child, will be physically harmful to the pregnant woman, or will cause her pain that cannot be alleviated by medication.
- If you want to make changes to your documents after they have been signed and witnessed, you must complete a new document.
- Remember, you can always revoke your Pennsylvania document.
- Be aware that your Pennsylvania document will not be effective in the event of a medical emergency. Ambulance and hospital emergency department personnel are required to provide cardiopulmonary resuscitation (CPR) unless they are given a separate directive that states otherwise. These directives called "prehospital medical care directives" or "do not resuscitate orders" are designed for people whose poor health gives them little chance of benefiting from CPR. These directives instruct ambulance and hospital emergency personnel not to attempt CPR if your heart or breathing should stop. Currently not all states have laws authorizing these orders. We suggest you speak to your physician if you are interested in obtaining one.