

You've got your trust in place, your financial power of attorney is up-to-date and your will has been signed. You're feeling pretty good about things and rightly so. Those documents will help protect your family and your assets in the event the unthinkable happens.

But you're not done just yet.

There's one more piece to your estate planning puzzle and it's an important one, albeit often misunderstood. Here's what you need to know about advanced healthcare directives.

In California, the statutory Advanced Health Care Directive form includes your designation of a health care agent, your "Instructions for Healthcare," your wishes on organ donation and your designation of a primary physician.

The first section of this document is designed to give you a voice about your care in the event you're unable to speak for yourself. This is often referred to as a Health Care Power of Attorney and like its financial counterpart, it designates someone to speak on your behalf. The difference is that this Power of Attorney grants authority to make decisions about your medical treatment and **only goes into effect** if you become mentally or physically incapacitated. This person or "agent" is also known as your *Health Care Proxy* and should be someone you trust implicitly.

The second part of this document is the equivalent of a "living will" and allows you to specify your wishes about end-of-life care. This includes instructions on resuscitation as well as the use of machines and treatments - such as respirators and feeding tubes - that would be considered "life support."

Your directives packet also includes a section to specify your wishes on organ donation and designate your primary care physician. These last two sections are optional.

You should always make sure that your Advanced Health Care Directive includes up-to-date HIPAA language for your health care proxy. This ensures that the person authorized to make your medical decisions has access to your medical

information. HIPAA (short for Health Insurance Portability and Accountability Act) was designed to protect the patient's privacy but in doing so, it can interfere with your intentions to extend this authority to another person. Including this language in your directives eliminates this obstacle.

And last but not least, you may also want to include a Physician Orders for Life-Sustaining Treatment (POLST) form. A POLST helps give seriously-ill patients more control over their care, by including directions about life-sustaining measures such as CPR, intubation, antibiotic use, and feeding tubes. Unlike the other forms in your directives packet, the POLST is a medical order, signed by a doctor, so medical personnel must follow its instructions. A POLST covers a much broader variety of treatments than a DNR and is frequently printed on bright pink paper, so that it's easy to locate.

Together, your directives inform and instruct your healthcare professionals when you can't. They provide your doctors (and your family) with a foundation on how you feel about certain treatments, illnesses and situations. A good set of directives helps ensure that you receive palliative (comfort) and curative (healing) care according to your wishes and the situation.

You also don't need to worry about signing away your rights. As long as you're able to speak for yourself, you overrule any directives that might be in place and yes, that would include the authority you've granted to your proxy as well.

Would you like to learn more about advanced directives and choosing a health care agent? [Firm] provides a variety of fiduciary guidance and services to help you protect and preserve your quality of life. We have served as a trusted partner of individuals and families for more than a decade and we're happy to share that experience with you.

Contact us today - let us know how we can help!