

Advanced Care Planning

Advanced Directive for Health Care

What Is Advanced Care Planning?

Advance care planning involves discussing and preparing for future decisions about your medical care if you become seriously ill or unable to communicate your wishes. Having meaningful conversations with your loved ones is the most important part of advance care planning. Many people also choose to put their preferences in writing by completing legal documents called advance directives.

In Maryland, an **Advance Directive is a legal document** that allows individuals to make decisions about their future healthcare, particularly in situations where they may be unable to communicate their wishes themselves. It allows individuals to appoint a **health care agent** and/or specify their **preferences for medical treatments**.

Everyone should have an advance care plan, not just people who are very old or ill. A health crisis can occur at any time and leave you unable to communicate your own health care decisions. Advanced directives should be reviewed and updated annually or with any significant changes in your health.

Purpose of an Advance Directive

- **Respecting Wishes:**
It ensures your religious and personal beliefs are honored if you can't express them yourself.
- **Avoiding Misunderstandings:**
It helps prevent confusion and arguments about your care by clearly outlining your preferences.
- **Facilitating Communication:**
It provides clear guidance for healthcare professionals and your chosen agent about your wishes.

Legal Requirements

- **Writing:** An advance directive must be in writing.
- **Witnesses:** Generally, two witnesses are required to sign the document.
- **No Notarization:** In Maryland, notarization is not required for an advance directive.

What happens if you do not have an Advance Directive?

Without an advance directive, state law dictates who makes medical decisions for you, usually a spouse, parents, or adult children. Unmarried partners might be excluded. In Maryland, the hierarchy is guardian, then spouse/domestic partner, adult children, parents, and siblings. If no relatives, a friend or distant relative can serve if they sign a statement of connection.

Key Components of an Advance Directive

- **Living Will**

A living will is a legal document that tells doctors how you want to be treated if you cannot make your own decisions about emergency treatment. In a living will, you can say which common medical treatments or care you would want, which ones you would want to avoid, and under which conditions each of your choices applies. There are many resources online to help create this document or you can work with an attorney that specializes in health care.

- **Durable Power of Attorney for Health Care / Health Care Proxy**

A durable power of attorney for health care designates your health care proxy, who makes medical decisions for you if you cannot. This proxy, also called a representative, surrogate, or agent, should know your values and wishes. A proxy can be chosen in addition to or instead of a living will, helping plan for unforeseen situations like accidents or strokes.

- **MOLST Form** (aka DNR form)

Maryland Medical Orders for Life-Sustaining Treatment (MOLST) is a medical order form that is initiated by a physician and provides specific instructions for life-sustaining treatment. The forms will be honored by Emergency Medical Services (EMS). This form may be signed by a doctor, nurse practitioner, or physician assistant. Forms and additional information can be found at: www.marylandmolst.org. Patients may obtain metal EMS/DNR bracelets or necklaces by contacting Medic-Alert directly at (800) 432-5378.

- **Organ and Tissues Donation**

Organ donation is the act of taking healthy organs and tissues from one person and giving them to someone else. You can register to be an organ donor at the time you renew your driver's license or state ID at your local Department of Motor Vehicles. You can also register online at organdonor.gov.

Where to Find Resources:

- **Maryland Attorney General:**

www.marylandattorneygeneral.gov/Pages/HealthPolicy/advancedirectives.aspx

- **National Institute on Aging:** www.nia.nih.gov/health/advance-care-planning

- **The Conversation Project:** theconversationproject.org

- **Prepare for Your Care:** prepareforyourcare.org

- **Advance Directives Templates:**

- <https://www.caringinfo.org/wp-content/uploads/Maryland.pdf>
- <https://www.marylandattorneygeneral.gov/Health%20Policy%20Documents/adirective.pdf>
- <https://health.maryland.gov/yourrights/docs/advdirform.pdf>
- Wallet Card: <https://www.aha.org/system/files/2018-01/piiw-walletcard.pdf>