

What is Advance Care Planning?

Advance Care Planning is a process for helping you understand possible future health care choices. Reflect on your own values and goals and discuss your choices with those persons closest to you. You may also put your wishes in writing in case you become unable to make your own decisions in the future.

YOUR healthcare and end of life decisions may be the most important choices facing you in the future. People are better prepared to make difficult end-of-life decisions if they understand their overall healthcare status. Ask questions of your physician(s) about your health.

YOU should decide about the kind of care you want while you are able to make your own decisions.

THINK about what you would want done for you.

TALK with your family and friends about your health care and end-of-life decision making. Advance care planning is all about making choices for yourself and communicating with family and friends about end-of-life care.

ACT Complete the attached forms and share with your family, physician, health care agent and attorney.

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Copies of this leaflet and other advance directive documents are available from:

www.wichitamedicalresearch.org

Wichita Medical Research & Education Foundation
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We thank Kansas Health Ethics, Inc. (now closed) for their efforts in the development of this and other documents. For more information about obtaining copies of this document contact

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Kansas Advance Directives

A Summary of Advance Healthcare Directives Recognized in Kansas

Advance Medical Treatment Directive



DPOA for HC



Physician's Do-Not-Resuscitate Order (DNR)

Patient's Do-Not-Resuscitate Directive (DNR)

Durable Power of Attorney for Health Care Decisions (DPOA for HC)

K.S.A. 58-625 THROUGH 632

This form is sometimes called the Healthcare Power of Attorney. It is a signed and notarized or witnessed legal paper. It allows a person to name someone to make health care decisions for him/her during a time of disability or incapacity.

(The person who has the power of attorney is called the health care agent, proxy or surrogate.)

- The terms of the form may be fairly general or very specific, as desired. The powers granted usually include:
 - decisions about going to the hospital
 - choice of doctors
 - long term care
- The terms of this paper **may** include:
 - Refusing or withdrawing consent for the use of life sustaining procedures (even when the person is in a coma or persistent vegetative state)
 - Consent for organ donation and autopsy.
- The form is allowed by Kansas law.
- The person signing the DPOA for HC must be an adult (at least 18 years old) and competent when the document is signed. A person is usually assumed to be competent and does not need to prove it in the absence of actual notice of the opposite.
- Witnesses must be at least 18 years of age. They cannot be the agent or related to the person by blood, marriage or adoption. They cannot have a financial interest in the person's medical care or estate.
- The Healthcare Power of Attorney may be effective immediately, or may be made effective only when the person lacks the capacity (as determined by a physician) to make or communicate decisions.
- The healthcare agent may not cancel a person's Living Will.

Living Will

K.S.A. 65-28, 101 ET.SEQ.

A Living Will is a signed and notarized or witnessed form that allows a person to state in advance that his/her dying should not be artificially prolonged in cases of terminal illness. This decision may be made only by the patient or by a person the patient has designated as Durable Power of Attorney for Healthcare. Relatives and even the patient's legal guardian do not have the authority to make this decision.

- The form is authorized by Kansas Law.
- The person must be an adult (at least 18 years old) and competent when the living will is signed.
- Witnesses must be at least 18 years of age. They cannot be the agent or related to the person by blood, marriage or adoption. They cannot have a financial interest in the person's medical care or estate.
- The Living Will applies only when the person has been diagnosed and certified as terminally ill by two doctors. One of the doctors is the patient's attending physician. (Terminally ill usually means that death will probably occur within six months regardless of whether life-sustaining treatments are used.)
- The Living Will does not apply to a person in a coma or persistent vegetative state unless the person is also diagnosed as terminally ill.
- Pain relief or other comfort care may be given with the Living Will.

Advance Medical Treatment Directive (Common Law)

An Advance Medical Treatment Directive (Common Law type) can be any paper in which a person records his/her wishes regarding future medical treatment.

- The form is not specifically authorized by Kansas Law.
- It may be a checklist, a narrative statement, or a letter to the physician or the person's healthcare agent.

Patient's Do-Not-Resuscitate Directive (DNR)

K.S.A. 65-4941.ET.SEQ.

A Patient's DNR Directive is a signed, dated, and witnessed form that lets an adult say in advance his/her decision that if his/her heart stops beating or breathing stops, no medical procedure will be done to restart the heart or breathing.

- Other appropriate emergency medical care by pre-hospital care givers or medical care directed by a doctor may be given.
- The form is authorized by Kansas law.
- The person must be an adult and competent when the paper is signed (at least 18 years old).
- The paper must also be signed by the attending doctor as "medically appropriate" unless the person's church or religion recognizes treatment by spiritual means only.

Physician's Do-Not-Resuscitate Order (DNR)

A physician's DNR Order (as distinguished from a patient's DNR Directive) may be any doctor's way of making a "do not resuscitate" order (sometimes referred to as "no code") in a medical care facility, and adult care home, or an emergency medical service (if the method or order was established prior to April 14, 1994.)

- It may be a separate paper or merely a physician's order in the patient's record.
- Informed consent should be given by the patient or the patient's healthcare agent.

This leaflet is not intended to give legal advice. In executing any document, a person should read all accompanying instruction. Additional information may be obtained from healthcare providers or attorneys.