



# Health Care Decision Making

## Health Care Decision Making

In 2015 patient engagement technology provider Emmi Solutions, identified several statistics to know about the current state of healthcare decision making:

- Only 20 percent of Americans have an advanced directive documenting their wishes for end-of-life medical care.
- 60 percent of Americans would like their end-of-life preferences followed.
- Just 44 percent of patients who discuss end-of-life care with their provider complete an advance directive.
- Those who did not complete an advance directive cited reasons of lack of familiarity (60 percent), belief they are too young or healthy (14 percent) or the uncertainty of using them (11 percent).
- 86 percent of Medicare patients would rather spend their final days at home than in a hospital or nursing home.
- 84 percent of Medicare patients did not want life-prolonging drugs if it lowered their quality of life.
- 77 percent of Medicare patient said they would not want a ventilator, even it would extend their life by one month.
- 25 percent of healthcare costs are spent on patients in their last months of life.
- It is 67 percent less expensive to treat a patient in hospice, than in a non-hospice setting.





# National Health Care Decision Day is April 16th

*National Health Care Decision Day is a day to reflect on your wishes about end-of-life and to put them into writing in the form of power of attorney and advance directives.*

## HealthCare Proxy

A HealthCare Proxy (also known as Health Care agent or Power of Attorney for HealthCare) is the person you choose to make health care decisions for you if you're too sick to make them for yourself. Your proxy can talk with your doctors, consult your medical records, and make decisions about tests, procedures, and other treatment.

### Who can complete a Health Care Proxy?

- Everyone over 18 can complete a health care proxy form.
- Person must be able to make conscious decisions for themselves.

### How often should the HC Proxy for be reviewed?

- It is a good idea to review the proxy form every so often and update as needed (get married, move out of the area, etc...).
- If you decide to update the proxy, a new form needs to be completed. It is best practice to notify the previous proxy that you have updated the form to avoid confusion or tension later.

Form requires 2 witnesses to sign, one of not blood relative. Does not need to be notarized.

### What is the role of the proxy?

- The proxy is the person who will represent you and speak for you in the event you are unable to speak for yourself.
- Keep in mind, a proxy must be able to make quick and tough decisions for you that may be hard for them to handle. A proxy will need to make decisions that you would expect with your wishes.

You can choose more than 1 proxy in case the primary proxy is unable to participate.

It's ok to choose someone other than a loved one or family. Be sure to discuss this with them to avoid confusion and/or tension before a medical crisis occurs.



**What are the restrictions to becoming a proxy:**

- Must not be younger than 18.
- Cannot be an employee from a facility that you reside in (nursing home, ALF, etc...) unless the employee is related to you.
- Cannot be a member of your healthcare team (doctor, nurse, social worker).
- Should not be servicing as an agent or proxy for 10 or more people unless he/she is your spouse or close relative.

If you don't have anyone to be designated as your proxy, please complete the remaining form, listing medical treatments that you would want or not want if you become terminally ill or unable to make decisions. This provides a guide for your medical team as well as a guide if a legal guardian was appointed.

Discussing your decisions is important prior to a medical crisis. Explaining and educating the proxy so they are comfortable and understand your choices.

## Five Wishes

1. The Person you want to make decisions for you when you can't.
2. The kind of medical treatment you want or don't want.
3. How comfortable you want to be.
4. How you want people to treat you.
5. What you want your loved ones to know.

Once the form is completed and properly signed it is valid under the Florida law. Form must be signed by 2 Witnesses and one can not be of blood relative.

Five Wishes is a living will that addresses your personal, emotional, and spiritual needs as well as your medical wishes.

**How does completing 5 Wishes help?**

- It opens up a conversation about how you want to be treated if you become seriously ill.
- Family will not have to guess about what you want.
- Family won't have to make hard choices without knowing your wishes.





## Wish 1

Person you want to make health care decisions when you are unable to make them for yourself.

Pick the right person who knows you very well, cares about you and can make difficult decisions. It does not necessarily have to be a spouse or family member.

Proxy's duty begins when you are no longer able to make health decisions determined by 2 physicians.

Some options the proxy may need to make on your behalf:

- Choices about medical care or services, tests, medicine, surgery.
- Interpret any instructions provided in the 5 Wishes form. Consent to admissions to next level of care facility and care.
- See and approve release of medical records and persona files.
- Donate usable organs or tissues.
- Apply for benefits and see bank records.

## Wish 2

Your wish for the kind of medical treatment you want or don't want.

In the event death is within a short period of time, you're in a coma, you have permanent and severe brain damage, or if you have an end-stage condition you can decide on one of three choices:

1. I want life-support treatment.
2. I do not want life-support treatment. If it has been started, I want it stopped.
3. I want to have life-support treatment if my doctor believes it could help. But I want my doctor to stop giving me life-supporting treatment if it is not helping my condition or symptoms.

Do Not Resuscitate form: this form lets ambulance personnel know that you don't want them to use life-support treatment when you are dying or heart should stop beating. No CPR will be done.

Florida has a yellow DNR form and it must be signed by a MD.

What does "Life-Support Treatment" mean:

- Any medical procedures, devices or medication to keep you alive
- Medical devices to help you breathe (ventilator)
- Food and water supplied by medical device (tube feedings)
- CPR
- Major Surgery
- Blood transfusions
- Dialysis
- Antibiotics



### **Wish 3**

How comfortable do you want to be  
This addresses pain medications, keeping you clean, bathed, personal care, music, etc...

### **Wish 4**

How do you want people to treat you  
This addresses how you would want people to provide companionship, emotional and spiritual support.

### **Wish 5**

What would you like for your loved ones to know  
This addresses how you would like your family and friends to remember you and provide any special notes in the space provided.



## **Dying with Dignity** **(unavailable in Florida)**

### **WHAT IS DEATH WITH DIGNITY AS AN END-OF-LIFE OPTION?**

Death with dignity is an end-of-life option that allows certain terminally ill people to voluntarily and legally request and receive a prescription medication from their physician to hasten their death in a peaceful, humane, and dignified manner.

### **HOW CAN I USE A DEATH WITH DIGNITY LAW?**

A legal prescription for life-ending medications is only available in states with death with dignity laws.

As of January 1, 2019, California, Colorado, District of Columbia, Hawaii, Oregon, Vermont, and Washington have physician-assisted dying statutes.

Physician-assisted dying is also legal in Montana by way of a 2009 State Supreme Court ruling.

To qualify under death with dignity statutes, you must be:

- an adult resident of a state where such a law is in effect (CA, CO, OR, VT, WA);
- mentally competent, i.e. capable of making and communicating your healthcare decisions;
- diagnosed with a terminal illness that will lead to death within six months, as confirmed by two physicians; and
- capable of self-administering and ingesting medications without assistance.

The process entails two oral requests, one written request, waiting periods, and other requirements.

As long as you go through all the steps required by the law to obtain the medication, your life insurance benefits should be unaffected. The cause of your death on your death certificate, for the documentation by the life insurance company, will be listed as the disease that your doctors expect will cause your death in the next weeks or months.

"I have an advance directive, not because I have a serious illness, but because I have a family."

Ira Byock, MD



*"There are only two things that are unavoidable in life:  
Death and Taxes."*