

Making Health Care Decisions Fact Sheet

What is an Advance Care Directive?

- ✚ A document that you fill out that describes care you want or do not want to receive when you are no longer able to make your own decisions
- ✚ Similar to a 'Living Will' – New Mexico does not have Living Wills
- ✚ Provides for a Health Care Power of Attorney
 - A person you choose who is able to make health care decisions for you when you are no longer able to do so

Who should have an Advance Care Directive?

- ✚ Everyone

Who can change my Advance Care Directive?

- ✚ This is a personal document that only you are able to change

What questions should I ask before I fill out an Advance Care Directive?

- ✚ What is an Advance Directive
- ✚ Why do I need one
- ✚ What do I value in my life; what is important to me
- ✚ Who would I consider or choose to make decisions for me

Who should I talk to about wishes for my care if I am no longer able to make decisions for myself?

- ✚ Family
- ✚ Friends and other trusted persons
- ✚ Physician
- ✚ Faith Leader

Who should I give a copy of my Advance Care Directive to?

- ✚ Keep copy for yourself in accessible place
- ✚ Family and other friends or important people
- ✚ Physician and hospital
- ✚ Faith leader

Myths and Commonly Asked Questions

My advance directive from another state will NOT be accepted in New Mexico

False: Most states, including New Mexico, accept valid advance directives from other states

My advance directive needs to be witnessed or notarized

No, your signature and designation of your health care power of attorney is sufficient

I have to use a specific form for my advance directive

No, you may use any form or write out your wishes, sign and date it

Some commonly used forms are e.g.,

- Your Right to Decide: Making Difficult Decisions -CSVRMC
- Advance Directive for Health Care – New Mexico
- Five Wishes
- Forms obtained from attorneys during estate planning

Doctors and other health care providers are not legally obligated to follow my advance directive

False: There are exceptions, e.g., if a physician does not know you have an advance directive or if it is not available; if there are questions as to the validity of the advance directive. These are reasons why it is important to make your wishes clear to family and your physicians and others who know you well .

Once I have made an Advance Care Directive I am not able to make any changes

False: An Advance Care Directive may be changed by you at any time.

Resources:

Advance Directive for Healthcare – New Mexico - http://som.unm.edu/ethics/_docs/nm-advance-directives.pdf

“Five Wishes: <http://www.fivewishes.org>

National Healthcare Decisions Day - <http://www.nhdd.org>

http://som.unm.edu/ethics/_docs/uniform-healthcare-decisions-act.pdf

“Your Right to Decide: Making Difficult Medical Decisions (available at CSVRMC)

https://www.americanbar.org/groups/law_aging/publications/bifocal/vol_37/issue_1_october2015/myths_and_facts_advance_directives/

http://hsc.unm.edu/ethics/docs/Values_History.pdf