



## ***About Advanced Directives***

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### ***What are Advance Directives?***

Advance Directives are documents that you have written in advance of serious illness, which state your choices about medical treatment or name someone to make choices for you if you become unable to make decisions. Through Advance Directives, such as a Living Will or Durable Power of Attorney for Healthcare, you can make legally valid decisions about future medical treatment.

Since 1981, Georgia has had a "Living Will" Statute and in 1990, the Georgia Assembly enacted the "Durable Power of Attorney for Healthcare Act." Both statutes prescribe a form that is required in order for the document to be valid in Georgia.

### ***What are my rights as a Resident?***

In Georgia, the laws generally give you the right to refuse any medical or surgical treatment you do not wish to receive. The law also allows you to sign Advance Directives so that your wishes will be followed, even if you become unable to communicate them to your healthcare provider.

### ***What is a Living Will?***

A Living Will in Georgia is a document that can instruct your physician to withhold or withdraw life-sustaining procedures if you become terminally ill and can no longer communicate your desire. The Living Will can be executed only by a competent adult and must be witnessed by two other competent adults who are not:

- (1) Related to you by blood or marriage.
- (2) Entitled to any portion of your estate.
- (3) Your attending physician or an employee of your physician or this hospital.
- (4) Financially responsible for your medical care.
- (5) Have any claims against your estate.

The Living Will applies only to "terminal conditions," defined as an "incurable condition caused by disease, illness or injury which, regardless of the application of life-sustaining procedure, would produce death."

### ***What is a Durable Power of Attorney for Healthcare?***

A Durable Power of Attorney is another kind of Advance Directive in which you can name another person, called an agent or attorney in fact, to make medical decisions for you if you become unable to make them. In a Healthcare Power of Attorney, you can describe treatment you want and do not want. As with a Living Will, the law provides a form for the Durable Power of Attorney for Healthcare.

### ***What is a Do Not Resuscitate Order (DNR)?***

Living Wills and Healthcare Power of Attorneys are separate from a DNR order. A DNR Order tells medical professionals not to perform CPR. This means that doctors, nurses, and emergency medical personnel will not attempt emergency CPR if the patient's breathing or heartbeat stops. A DNR Order is only a decision about CPR and does not relate to any other treatment. DNR's must be signed by your physician.

Gaines Park must have supporting documentation that a DNR has been issued as the express desire of a particular Resident. Gaines Park has a standard form for your file that must be completed by your attending physician to provide Emergency Medical Personnel should an occasion arise.

### ***Can an Advance Directive be changed?***

The Living Will and Durable Power of Attorney for Healthcare can be changed or revoked at any time. If you do make changes to an Advance Directive, be sure to destroy all of the outdated copies and provide copies of the new version to your family, physician and your attorney, if applicable. If you wish to revoke an Advance Directive while receiving treatment, please immediately notify your physician or your nurse.

### ***Is there a time limit on how long my Advance Directive is valid?***

No, but you may want to consider updating any Advance Directive periodically since this indicates you have given the matter a great deal of thought.

### ***Will my Georgia Advance Directive be honored if I am admitted for treatment in a different state?***

The law on honoring Advance Directives differs from state to state, so it is unclear whether a Georgia Advance Directive would be valid in a different state. Because an Advance Directive is an expression of your wishes about medical care, it will influence that care no matter where you are admitted. However, if you spend a great deal of time in more than one state, you might want to consider signing an Advance Directive that meets all of the requirements of each state.

***Can I be refused admission to a hospital, nursing facility, home health agency, or hospice program if I do not have an Advance Directive?***

Federal law prohibits a hospital, nursing facility, home health agency or hospice program from refusing to admit a patient because he does not have an Advance Directive. However, as of December 1991, hospitals, nursing facilities, home health agencies or hospice programs must ask adult inpatients if they have advance directives, document their answers and provide information on state laws and hospital nursing facility, home health agency or hospice program policies about advance directives.

***After I complete an Advance Directive, what should I do with it?***

Copies of an Advance Directive should be given to someone who would know if you became seriously ill. You should also give a copy to your physician. You may want to consider giving a copy to your minister, family members or close friends. Of course, if you appoint an agent to make healthcare decisions for you, you should give a copy of your Advance Directive to the agent. Finally, you should consider carrying a card in your wallet stating that you have signed an Advance Directive and where it can be located.

Gaines Park would also require copies of your Advance Directives which may include a Living Will and a Durable Power of Attorney for Healthcare.

Additional Information: [www.legalaid-ga.org](http://www.legalaid-ga.org)

Link to Online Info & Form: [Georgia Advance Directive for Health Care](#)



## ***Advanced Directives***

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1. I have been offered written materials on my rights to accept or refuse medical and surgical treatment and my rights to formulate advance directives.
2. I understand that I am not required to have an advance directive in order to receive medical treatment at Gaines Park Assisted Living.
3. I understand that Gaines Park Assisted Living will follow the terms of any advance directive that I have executed to the extent permitted by law and in accordance with the facility's or service's policies and procedures.

**Please check one of the following statements:**

- I have executed an advance directive and will provide a copy to the facility or services. I understand that the staff of Gaines Park Assisted Living will not be able to follow the terms of my advance directive until I provide a copy of it to the staff.
- I have not executed an advance directive and do not wish to discuss advance directives further at this time.
- I have not executed an advance directive but would like to obtain additional information about advance directives at a later time.

\_\_\_\_\_  
Sponsor

\_\_\_\_\_  
Resident's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date