



MONTHLY NEWSLETTER



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HEALTHCARE DIRECTIVES

When planning your estate, it is important to also consider preparations that need to be made to care for your health and to assist your family in making healthcare decisions, should you not be able to. Completing this step can relieve stress from your family members during difficult times and ensures that you receive the best medical care possible when you need it most. It also gives you the opportunity to make sure that your personal values and beliefs are honored when you may not be able to speak for yourself.

There are two general types of healthcare directives—a durable power of attorney for healthcare and a living will. In some states, they are combined into one document called an advanced directive.

The living will, sometimes called an instruction directive in New Jersey, is a second document (in most states) and leaves instructions for the last weeks of life. There are a number of decisions regarding care, nutrition, hydration and resuscitation that need to be made. The living will gives you the opportunity to offer recommendations to medical staff about the types of care to be provided to you at that time. A durable power of attorney for healthcare is important to ensure that the right person has been selected. It is called a “durable” power because it is effective even if you are ill and not capable of making your own decisions.

Resource: This information has been taken from the NAD’s Planning Your Legacy—A Christian Guide to Planning Your Will & Trust, available online from www.WillPlan.org.

FAQ:

1..Who should have a copy of my healthcare directives?

Answer: You should give a copy to your primary healthcare representative, alternate healthcare representative(s), family members and physicians. If you are treated at a hospital or enter a nursing home, you should also provide a copy when you are admitted.

2. Do I need a lawyer to complete healthcare directives?

Answer: No, you can complete an advance directive on your own.

3. Do I need a witness when I sign my healthcare directives?



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<https://www.newjerseyconference.org/trust-services>

FAQ:

Answer: You can choose to get your healthcare directives notarized, in which case you don’t need additional witnesses. Or you can choose to sign and date your advance directive in front of two adult witnesses who must also sign and date the document.

4.Can I change my healthcare directives?

Answer: Yes, you can change your healthcare directives any time you want by completing a new one. You need to sign and date your new advance directive and have two witnesses sign and date it.

5.Who can I appoint as my healthcare representative?

Answer: You can appoint your spouse/domestic partner, parent, adult child, family member, friend, religious/spiritual advisor, or any other adult.

6.Who should I appoint as my healthcare representative?

Answer: You should choose someone who knows your values, beliefs, and preferences well enough to know what treatment decisions you would want them to make for various medical conditions.

FAQ:

The person should be someone with good judgment and who will be a strong advocate on your behalf. They should also be someone you believe will respect your wishes even if they disagree with them, especially when it comes to your preferences about the use of life-sustaining treatment.

7.Can I put requirements on how my healthcare representative makes decisions?

Answer: Yes, you can require your healthcare representative to consult with the alternate healthcare representatives, specific family members, friends, or anyone else you want. You can also state specific criteria upon which your healthcare representative has to base their decisions.

8.What happens if I regain the ability to make my own decisions?

Answer: In that case, your physician must obtain your consent for all treatment. When you regain the ability to make healthcare decisions your healthcare representative will no longer have the authority to make decisions for you.

Resource: This information was obtained from the New Jersey Department of Health at <https://www.nj.gov/health/advancedirective>