

Advance Medical Directives: Making Health Care Decisions Before the Emergency Arises

What happens when you are not able to make health care decisions for yourself? Who decides whether the unconscious patient will be kept alive artificially, even though the patient is terminal, has no chance of recovery and is virtually brain dead? Who decides what medications and procedures to administer if the patient is unconscious, but not terminal? And how can you ensure that your children will get medical care if they get hurt when you leave them with grandma and grandpa for the weekend? Through the use of various types of advanced medical directives you can decide yourself what happens rather than leaving it up to doctors, courts and relatives to guess at what you would have wanted.

The Living Will. In the living will (sometimes known as the "declaration of a desire for natural death,") you tell physicians in advance not to artificially prolong your life with extraordinary measures if your condition is incurable and terminal or you are diagnosed as being in a persistent, vegetative state. This document, authorized under North Carolina law (NCGS 90-321) allows you to make those decisions now, while you are able to do so, rather than leaving the doctors and loved ones to guess at your wishes while you are in a coma. The living will does not have anything to do with where your property will go after your death.

Health Care Power of Attorney There may be times when your medical condition renders you incapable of communicating your health care decisions, yet you are not necessarily terminal, incurable, or in a vegetative state. The Health Care Power of Attorney (sometimes called the "Durable Power of Attorney for Health Care) also specifically authorized under North Carolina law (NCGS 32A-25) allows you to appoint an agent to make health care decisions on your behalf. You can authorize this agent to withhold life-sustaining procedures if you are terminal, in a permanent coma, suffer severe dementia or are in a persistent vegetative state. In addition to these life or death cases, the health care agent can also be authorized to make more routine decisions, such as hiring health care professionals, obtaining medical records, and consenting to X rays, medications, or surgery on your behalf.

Power of Attorney/Appointment of Guardian During deployments or periods of temporary additional duty, service members may be required to leave children with some one else. This is particularly likely where both parents are service members or where there is a single parent. Without a parent present, routine medical care for children may be difficult to obtain and emergencies may be needlessly complicated. Through the power of attorney/ appointment of guardian, you can authorize your agent to take acts on behalf of your children, such as obtaining vaccinations, consenting to school check ups, consenting to medical or dental procedures or surgery. This document does not cause the loss of any parental rights; it merely gives your agent temporary authority to make certain decisions.

Health care decisions, for yourself and your children, are among the most important you may ever make. The time to consider whether you could benefit from a living will, health care power of attorney, or power of attorney for child care is before an emergency arises.