

Oregon Advance Directive Guide & FAQ

You never know when you may find yourself in a situation where you are unable to speak for yourself, as a result of an accident or an illness. Serious or life-threatening medical situations involve a lot of decisions: Do you want a feeding tube if you're unlikely to recover? Do you want doctors to try to revive you with CPR if your heartbeat stops? Should you undergo a high-risk surgery?

Those decisions need to be made by someone who understands what you want. That's why just about every Oregonian over the age of 18 should create an Advance Directive. Advance Directives help limit the uncertainty in situations where you are unable to tell your doctors how you wish to be treated. They ensure that your doctors and loved ones are not left guessing and wondering what you would want.

What Is an Advance Directive?

The Oregon Advance Healthcare Directive (also call the Oregon Advance Directive) is a legal document that allows you to select a person to make health-care decisions on your behalf if that you cannot speak for yourself. It also enables you to give instructions for health-care and medical treatments, such as whether you want doctors to prolong your life with artificial hydration or nutrition if you're close to death.

Generally, the Oregon Advance Directive outlines what health-care decisions should be made on your behalf when you cannot make them yourself.

Is an Advance Directive the Same as a POLST?

An Advance Directive and a POLST (Provider Orders for Life-Sustaining Treatment) are not the same. An Advance Directive is a legal document that provides direction from the patient, while a POLST is a medical order completed with a person's health-care professional.

While all competent adults should have an Advance Directive, POLSTs are intended for people with serious illnesses. POLSTs contain a specific medical order or set of medical orders written by a doctor to be honored by health-care workers during a medical crisis.

Importantly, a POLST form does not replace an Advance Directive. If you have a POLST, you should still have an Advance Directive!

Why Should I Make an Advance Directive?

The Oregon Advance Directive was created in response to concerns about patients undergoing unwanted medical treatments and procedures with the aim of preserving life at any cost. When patients can't speak for themselves, doctors are required to follow Oregon's law and consult with one of the following people (in this order): legal guardian, spouse, the majority of your adult children, and close friends. But the laws and even loved ones may not know or defer to the patient's preferences.

By documenting personal health-care wishes and requirements, the burden is lightened for family, friends, and physicians, and the patient's dignity and independence is preserved.

How Do I Create an Oregon Advance Directive?

Oregon Advance Directive forms are available for free online at www.oregon.gov/ and on various other websites. The form is not difficult to complete, and you do not need an attorney. But if you decide you'd like an attorney's assistance, look for one who specializes in this field.

The Advance Directive includes two principal parts: Part B is completed to identify your Health Care Representative; Part C functions as a living will and is completed to provide specific instructions for end-of-life decisions.

To be valid, your document must *either* be witnessed and signed by at least two adults *or* notarized by a notary public. If you change your mind, you can cancel it at any time.

Once your Advance Directive is completed and signed, give copies to the people close to you, your attorney (if you have one), and your doctor (ask your doctor to add it to your medical records). Also, be sure to keep a copy for yourself in an easy-to-find location.

Who Should You Choose as Your Representative?

The most crucial step in completing your Advance Directive is talking with the person you are selecting as your Health Care Representative. The more information and details you provide, the easier it will be when they have to make decisions for you. Without such a discussion, your directive may not be helpful when it's needed most.

You can use the following criteria in deciding which family member or friend to choose:

- They are 18 or older.
- They know you well.
- They are willing to accept the responsibility.
- They can be trusted to abide by your wishes.
- They can make difficult decisions.
- They can stay calm and think clearly in a crisis.
- They are good communicators and will dialog effectively in with health-care providers and family members.

You do not have to appoint a Health Care Representative. If you choose not to select one, you can still complete Part C of the form entitled "Health Care Instructions." This "living will" will give your doctors the information they need to guide your care and ensure that your medical decisions are carried out.

How Does an Advance Directive Work?

Your Advance Directive goes into effect as soon as your doctor determines you are unable to make or communicate your health-care decisions. Once it goes into effect, your representative can make all decisions for you, just like you would if you were able. Your representative will be able to:

- Choose your healthcare providers and where you will receive care.
- Accept or refuse all medical treatments, medications, and tests.
- Decide what happens to your body and organs after you die.
- Take any legal action required to carry out your wishes.
- Speak with your doctors and caregivers.
- Review your medical records and authorize their release.

Now that you know all about Oregon's Advance Directive, it's time to take steps to create one for yourself. In doing so, you'll ensure that your wishes are honored when you're unable to communicate, and you'll provide the help your loved ones need to make tough decisions in times of crisis.