

Advance Directive

Durable Power of Attorney for Healthcare (Patient Advocate Designation)

Introduction

This is a legal document, developed to meet the legal requirements for Michigan. This document provides a way for an individual to create a Durable Power of Attorney for Healthcare (Patient Advocate Designation) and other documentation that will meet the basic requirements for this state.

This **Advance Directive** allows you to appoint a person (and alternates) to make your health care decisions if you become unable to make these decisions for yourself. The person you appoint is called your **Patient Advocate**. This document gives your Patient Advocate authority to make your decisions *only when you have been determined unable to make your own decisions by two physicians, or a physician and a licensed psychologist*.

It *does not* give your Patient Advocate any authority to make your financial or other business decisions. In addition, it *does not* give your Patient Advocate authority to make certain decisions about your mental health treatment.

Before completing this document, take time to read it carefully. **It also is very important that you discuss your views, your values, and this document with your Patient Advocate.** If you do not closely involve your Patient Advocate, and you do not make a clear plan together, your views and values may not be fully respected because they will not be understood.

If you want to document your views about future health care, but do not want to or cannot use this Advance Directive, ask your health organization or attorney for advice about alternatives.

This is an Advance Directive for:

Name: _____ Date of Birth: _____ Last 4 digits of SSN: _____

Telephone (Day): _____ (Evening): _____ (Cell): _____

Address: _____

City/State/Zip: _____

Where I would like to receive hospital care (whenever possible): _____

Advance Directive: My Patient Advocate

If I am no longer able to make my own health care decisions, this document names the person I choose to make these choices for me. This person will be my Patient Advocate. This person will make my health care decisions when I am determined to be incapable of making health care decisions under Michigan law. I understand that it is important to have ongoing discussions with my Patient Advocate about my health and health care choices. I hereby give my Patient Advocate permission to send a copy of this document to other doctors, hospitals and

health care providers that provide my medical care. My Patient Advocate may make medical treatment decisions on my behalf only if I am unable to participate in my own medical treatment decisions.

(NOTE: If your wishes change, you may revoke your Patient Advocate Designation at any time and in any manner sufficient to communicate an intent to revoke. It is recommended that you complete a new Advance Directive and give it to everyone who has a previous copy.)

The person I choose as my Patient Advocate is

Name: _____ Relationship (if any): _____

Telephone (Day): _____ (Evening): _____ (Cell): _____

Address: _____

City/State/Zip Code: _____

First Alternate Patient Advocate (strongly advised)

*If Patient Advocate above is not able or willing to make these choices for me, **OR** is divorced or legally separated from me, then I designate the following person to serve as my Patient Advocate.*

Name: _____ Relationship (if any): _____

Telephone (Day): _____ (Evening): _____ (Cell): _____

Address: _____

City/State/Zip Code: _____

Second Alternate Patient Advocate (strongly advised)

*If the Patient Advocates named above are not able or willing to make these choices for me, **OR** is divorced or legally separated from me, then I designate the following person to serve as my Patient Advocate.*

Name: _____ Relationship (if any): _____

Telephone (Day): _____ (Evening): _____ (Cell): _____

Address: _____

City/State/Zip Code: _____

Advance Directive Signature Page

I have instructed my Patient Advocate(s) concerning my wishes and goals in the use of life-sustaining treatment - such as, but not limited to: ventilator (breathing machine), cardiopulmonary resuscitation (CPR), nutritional tube feedings, intravenous hydration, kidney dialysis, blood pressure or antibiotic medications — and hereby give my Patient

Advocate(s) express permission to withhold or withdraw any treatment that would not help me achieve my goals of care. I understand that such decisions could or would allow my death. Medications and treatment intended to provide comfort or pain relief shall not be withheld or withdrawn.

Signature of the Individual in the Presence of the Following Witnesses

I am providing these instructions of my own free will. I have not been required to give them in order to receive care or have care withheld or withdrawn. I am at least eighteen (18) years old and of sound mind.

Signature: _____ Date: _____

Address: _____

City/State/Zip Code: _____

Signatures of Witnesses

I know this person to be the individual identified as the “Individual” signing this form. I believe him or her to be of sound mind and at least eighteen (18) years of age. I personally saw him or her sign this form, and I believe that he or she did so voluntarily and without duress, fraud, or undue influence. By signing this document as a witness, I certify that I am:

- At least 18 years of age.
- Not the Patient Advocate or alternate Patient Advocate appointed by the person signing this document.
- Not the patient’s spouse, parent, child, grandchild, sibling or presumptive heir.
- Not listed to be a beneficiary of, or entitled to, any gift from the patient’s estate.
- Not directly financially responsible for the patient’s health care.
- Not a health care provider directly serving the patient at this time.
- Not an employee of a health care or insurance provider directly serving the patient at this time.

Witness Number 1:

Signature: _____ Date: _____

Print Name: _____

Address: _____

City/State/Zip Code: _____

-

Witness Number 2:

Signature: _____ Date: _____

Print Name: _____

Address: _____

City/State/Zip Code: _____

Accepting the Role of Patient Advocate

Person completing Advance Directive:

Print Name: _____ Date of Birth: _____

Acceptance

The person named above has asked you to serve as his or her Patient Advocate (or as an alternate Patient Advocate). Before agreeing to accept the Patient Advocate responsibility and signing this form, please:

1. *Read the **Introduction** and **Overview**, which provide important information and instructions.*
2. *Carefully read this completed form and;*
3. *Discuss, in detail, the person's values and wishes, so that you can gain the knowledge you need to allow you to make the medical treatment decisions he or she would make, if able.*
4. *If you are willing to accept the role of Patient Advocate, read, sign and date the following statement.*

I accept the person's selection of me as Patient Advocate. I understand and agree to take reasonable steps to follow the desires and instructions of the person as indicated within this "Advance Directive: My Patient Advocate" document or in other written or spoken instructions from the person. I also understand and agree that, according to Michigan law:

- a. This appointment shall not become effective unless the patient is unable to participate in medical or mental health treatment decisions, as applicable.
- b. I will not exercise powers concerning the patient's care, custody, medical or mental health treatment that the patient – if the patient were able to participate in the decision – could not have exercised on his or her own behalf.
- c. I cannot make a medical treatment decision to withhold or withdraw treatment from a patient who is pregnant, if that would result in the patient's death, even if these were the patient's wishes.
- d. I can make a decision to withhold or withdraw treatment which would allow the patient to die only if he or she has expressed clearly that I am permitted to make such a decision, and understand that such a decision could or would allow his or her death.
- e. I may not receive payment for serving as Patient Advocate, but I can be reimbursed for actual and necessary expenses which I incur in fulfilling my responsibilities.
- f. I am required to act in accordance with the standards of care applicable to fiduciaries when acting for the patient and shall act consistent with the patient's best interests. The known desires of the patient expressed or evidenced while the patient is able to participate in medical or mental health treatment decisions are presumed to be in the patient's best interests.
- g. The patient may revoke his or her appointment of me as Patient Advocate at any time and in any manner sufficient to communicate an intent to revoke.
- h. The patient may waive the right to revoke a designation as to the power to exercise mental health treatment decisions, and if such waiver is made, the patient's ability to revoke as to certain treatment will be delayed for 30 days after the patient communicates his or her intent to revoke.
- i. I may revoke my acceptance of my role as Patient Advocate any time and in any manner sufficient to communicate an intent to revoke.
- j. A patient admitted to a health facility or agency has the rights enumerated in Section 20201 of the Michigan Public Health Code, (Exercise of Rights by Patient's Representative 1978 PA 368, MCL 333.20201).

Accepting the Role of Patient Advocate *(continued)*

Patient Advocate Signature and Contact Information

Signature: _____ Date: _____

Print Name: _____

Address: _____

City/State/Zip: _____

Phone (Day): _____ (Evening): _____ (Cell): _____

If I am unable or unavailable to act after reasonable efforts to contact me, I delegate my authority to the person designated as the second choice Patient Advocate. The following Patient Advocates are authorized (in the order listed) to act until I become available to act.

First Alternate Patient Advocate (Optional)

Signature: _____ Date: _____

Print Name: _____

Address: _____

City/State/Zip: _____

Phone (Day): _____ (Evening): _____ (Cell): _____

Second Alternate Patient Advocate (Optional)

Signature: _____ Date: _____

Print Name: _____

Address: _____

City/State/Zip: _____

Phone (Day): _____ (Evening): _____ (Cell): _____

Making Changes

If only the contact information for your advocate(s) changes, it may be revised on the original and on the photocopies without replacing the entire form.

Photocopies of this form can be made and can be accepted as originals.

If I am nearing end of life...

(This section is optional, but recommended)

SPIRITUAL/RELIGIOUS PREFERENCES

If I am nearing my death, I would like these things for support and comfort:

If I am dying, I would like to be: (check one)

at home

in a hospital

not sure

I am of the _____ faith and/or consider myself _____.

I am a member of the _____ faith community.

Please attempt to notify them at _____ .

I want my health care providers to know these things about my religion or spirituality:

My other wishes:

_____ ***I choose not to complete this section***

PREFERENCES FOR ORGAN/TISSUE DONATION, AUTOPSY, ANATOMICAL GIFT AND BURIAL/CREMATION

In this section, you may, if you wish, state your instructions for: organ/tissue donation, autopsy, anatomical gift, and burial or cremation.

By Michigan law, your Patient Advocate and your family must honor your instructions pertaining to organ donation following your death.

The authority granted by me to my Patient Advocate in regard to organ/tissue donation shall, in compliance with Michigan law, remain in effect and be honored following my death.

I understand that whole-body anatomical gift donation generally requires pre-planning and pre-acceptance by the receiving institution.

Burial or cremation preferences reflect my current values and wishes.

Instructions:

- Put your initials next to the choice you prefer for each situation below.
- Cross out the choices you do not want.

DONATION OF MY ORGANS OR TISSUE (ANATOMICAL GIFTS)

___ After I die, I wish to donate any parts of my body that may be helpful to others.

___ I have indicated this choice on my driver's license or state-issued identification card.

___ I am registered on my state's online donor registry.

___ After I die, I wish to donate **only the following** organs or tissue, if possible:
(name the specific organs or tissue): _____

___ I **do not want** to donate any organ or tissue.

___ **I choose not to complete this section**

**PREFERENCES FOR ORGAN/TISSUE DONATION, AUTOPSY,
ANATOMICAL GIFT AND BURIAL/CREMATION**
(Continued)

Instructions:

- *Put your initials next to the choice you prefer for each situation below.*
- *Cross out the choices you do not want.*
- *NOTE: Elective autopsy may be at family's expense.*

AUTOPSY, ANATOMICAL GIFT, AND BURIAL/CREMATION PREFERENCE

_____ I **would** accept an autopsy if it can help my blood relatives understand the cause of my death or assist them with their future health care decisions.

_____ I **would** accept an autopsy if it can help the advancement of medicine or medical education.

_____ I **want** my body to be donated to an institution of medical science for research or training purposes.

_____ I **do not want** an autopsy performed on me.

My burial or cremation preference is: (initial only one)

_____ Burial _____ Cremation

_____ Burial or Cremation, at the discretion of my next-of-kin

_____ ***I choose not to complete this section***

Great Lakes Health Connect (optional):

Great Lakes Health Connect is a Health Information Exchange providing State-wide internet medical record storage service to medical providers only. There is no cost to you for this service. Making Choices Michigan, your physician or attorney can file it for you. Not all hospitals are accessing this medical storage service at this time. It is recommended that you take a copy of this document with you to the hospital.

I consent to have my Advance Directive stored with Great Lakes Health Connect.

Signature/Date