

Tennessee Advance Health Care Directives: What You Need to Know

Q. Why do I need advance health care directives?

In the future, you may no longer have the ability to make medical decisions for yourself. You may be temporarily unconscious due to a car accident or permanently incapacitated due to a massive stroke. In those situations, important health care decisions will have to be made. By preparing in advance, you can determine what those decisions will be and who will be making them.

Q. What documents do I need?

In Tennessee, advance health care directives consist of the following two legal documents:

1. The Appointment of Health Care Agent which lets you name someone to make decisions about your medical care-including life support-if you are unable to speak for yourself. The agent you name can speak for you at anytime you are incapacitated, not only at the end of your life.
2. The Advance Care Plan which lets you state in advance your wishes about medical care in the event that you become terminally ill, permanently unconscious, or enter a persistent vegetative state and can no longer make your own medical decisions. Your Advance Care Plan becomes effective only if your condition will result in death regardless of the use of medical care to keep you alive.

Q. Whom should I name as my health care agent?

You want to choose someone who shares your values and someone whom you trust to make serious decisions. It may be a friend or a family member. It is best if this person lives in your town or could get to you fast in an emergency. You can name a second person as your alternate agent. The alternate agent will step in if the first person is not able or willing to act for you.

Q. Can I add specific instructions to my advance health care directives?

Yes. Remember this is your chance to state your wishes to future health care providers while you are able to do so. If you are using a form, it will have

lines that allow you to state specific decisions such as your wish to donate your organs or your refusal to have a blood transfusion due to religious beliefs. If you need help, you may want to talk to an attorney.

Q. Do I have to have an attorney to draft my advance directives?

No. You can download forms and instructions on our website. Go to www.las.org/health and click on the "Living Will/ Advance Care Plan button. In order to make the documents legal, you and two witnesses must sign the documents. Only one can be related to you. OR you can have the plan notarized.

Q. What if I change my mind?

As long as you are able to make your own decisions, you can cancel your advance health care plan at any time. You can do this in any manner that shows you want to cancel such as telling your doctor, or destroying all copies of your documents.

Q. Where should I keep my signed documents?

You need to give copies of your advance health care directives to your doctors, health care agent and alternate agent. You may also want your family and close friends to have a copy.

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Note: This column cannot take the place of legal advice. All cases are different and need individual attention. Talk to a lawyer about your case.

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