



documents to ensure they remain aligned with your current wishes. Significant life events, such as the death of a loved one, a serious diagnosis, or changes in relationships, can also prompt a reassessment of your plans.

How an Elder Law Attorney Can Help

Navigating the complexities of health care decision-making and planning can be overwhelming. An elder law attorney can help you:

- Understand your options and legal rights regarding health care decision-making.
- Draft and review these essential documents, ensuring they comply with state laws and accurately reflect your wishes.
- Facilitate family discussions about health care preferences and decision-making roles.
- Provide guidance on updating your documents as your needs and circumstances change.

National Academy of Elder Law Attorneys

The National Academy of Elder Law Attorneys (NAELA) is a professional association of more than 4,000 attorneys dedicated to improving the quality of legal services provided to older adults and people with disabilities.

The information in this brochure is provided as a public service and is not intended as legal advice. Such advice should be obtained from a qualified elder law attorney.

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The Law and Aging

Planning for Health Care Decision-Making



The Issue

As we age, planning for health care decisions becomes increasingly important. Whether for ourselves or our loved ones, ensuring that health care preferences are honored can provide peace of mind and clarity during difficult times.

The Importance of Planning Ahead

Health care decision-making is often complex, particularly when facing serious medical conditions or emergencies. Planning ahead ensures that your preferences are known and respected, allowing you and your family to focus on what truly matters during challenging times. Without proper planning, loved ones may face difficult choices without knowing your wishes, leading to potential disagreements and emotional stress.

Key Documents for Health Care Decision-Making

There are several essential documents you should consider when planning for health care decision-making:

- **Advance Health Care Directive (Living Will):** An advance health care directive, also known as a living will, outlines your preferences regarding medical treatment in situations where you are unable to communicate your wishes. This can include decisions about life-sustaining treatments, resuscitation efforts, and preferences for palliative care. By providing clear guidance, you can

relieve your family from the burden of making these difficult choices.

- **Health Care Power of Attorney:** A health care power of attorney (sometimes also referred to as a health care proxy) designates a trusted individual to make medical decisions on your behalf if you are incapacitated. This person, often referred to as your health care agent, should be someone who understands your values and wishes. It's essential to have open discussions with this person about your preferences and to ensure they are willing to take on this responsibility.
- **Do Not Resuscitate (DNR) Order:** A DNR order is a specific directive that indicates you do not wish to receive cardiopulmonary resuscitation (CPR) or advanced cardiac life support if your heart stops or you stop breathing. This order is typically included in your medical records and should be discussed with your health care provider and family.
- **Physician Orders for Life-Sustaining Treatment (POLST):** A POLST form translates your wishes regarding life-sustaining treatments into actionable medical orders. Unlike a living will, which may be more general, a POLST form is specific and signed by a physician. It provides clear instructions to health care providers about your preferences for treatments in emergency situations.

The Role of Family Discussions

Open communication with family members is crucial when planning for health care de-

isions. Discussing your values, beliefs, and preferences helps ensure that your loved ones understand your wishes. This can minimize confusion and emotional turmoil during a medical crisis. Family discussions can also provide an opportunity for your loved ones to express their concerns, ask questions, and understand their role in your care.

The Importance of Regular Review

Your health care preferences may change over time due to changes in your health, values, or circumstances. It's essential to regularly review and update your advance health care directive, power of attorney, and other related

Planning ahead ensures that your health care preferences are known and respected.

