

# Living Will and Durable Power of Attorney for Healthcare



## **What is a “Living Will?”**

A Living Will (also known as an Advance Medical Directive or a Directive to Physicians) tells a doctor how you want to be treated if you cannot tell him or her yourself and there is no reasonable hope for your recovery. Living Wills usually tell doctors to stop treatment and withhold life support if there is no hope for recovery. On the other hand, a Living Will is also used to say that you want all possible treatments. In a legal dispute, a Living Will becomes evidence of your wishes and intent.

## **What is a “Durable Power of Attorney for Healthcare?”**

A Durable Power of Attorney for Healthcare lets you name someone close to you to make decisions about your health care if you cannot make them yourself. This person can give informed consent, review medical records, talk with physicians, authorize transfer, apply for public healthcare benefits and consent to organ and tissue donation. They are authorized to carry out those decisions, only after the attending physician determines you are in a permanent vegetative state and that consciousness will not be restored. Without a Durable Power of Attorney for Healthcare, your health care decisions will be left to your closest family members.

## **When Would I Need a Living Will?**

You need a Living Will in case you become incapacitated due to injury or illness and there is no hope for your recovery. Living Wills and Durable Powers of Attorney for Healthcare have no legal effect unless you are unable to make a health care decision for yourself. A doctor or doctors must determine that you are in a permanent vegetative state or have a terminal condition and that the chance for recovery is slim if not impossible. As long as you remain able to communicate and make decisions, or there is hope for your recovery, a Living Will will not be implemented.

## **What Happens If I Do Not Have a Living Will?**

If you do not have a living will and you become incapacitated, your family and doctors will be forced to guess what you would have wanted. This can be very difficult, and lead to bitter disagreements and lawsuits. A Living Will relieves your family and doctors from having to make these difficult decisions. It makes it possible for them to honor your wishes more easily.

**What Should I Do Once I Have My Living Will?**

Once you make a living will, give a copy to your doctor and make sure a copy is placed in your physician and hospital records. You should also tell your close family members that you have made a living will and where the original and copies are kept. If you make a Durable Power of Attorney for Healthcare, you should give the original to the person you designate and keep a copy for yourself. You should also make sure your doctors can contact this person.

**How Do I Get a Living Will or Durable Power of Attorney for Healthcare?**

The Legal Assistance Office can answer questions about Living Wills and can assist in their preparation. We recommend execution of a Living Will along with a Last Will and Testament. Additionally, you should review or update your living will every year, as your thoughts on end-of-life issues may change, and update the address and telephone number of the person you designate in a Durable Power of Attorney for Healthcare.

**Scan the QR codes below with your smartphone to go directly to our websites.**

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*Living Will & Durable POA for Healthcare is distributed by the Camp Zama Legal Assistance Office, located in Building 101, Room CE209. Our office hours are 0830 to 1630 Monday, Tuesday, Thursday and Friday. On Wednesday, our hours are 0830 to 1200. You may call for an appointment at DSN 263-4698/ commercial 046-407-4698.*