

Indiana Legal Services, Inc

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General Information About Advance Directives

What are advance directives?

Advance directives are documents that say what you would like to happen if you are ever in a situation where you are physically or mentally unable to say what you want. Typically, advance directives deal with such issues as what medical treatment you would want or not want and whether you would want to receive artificial food and water if you are terminally ill. In the documents, you can also say who you would like to make these kinds of decisions for you if you are unable to make the decisions for yourself.

Why should I have an advance directive?

If you have an advance directive, you increase your control over your medical treatment in the future. It also helps to ensure your right to accept or refuse medical care. Finally, if you have an advance directive, it may help your family make decisions in the future because your family will know what you want and who you want to make decisions for you if you are unable to make the decisions yourself.

What happens if I don't have an advance directive and I become unable to make my own medical decisions?

If you don't have an advance directive and you become unable to make your own decisions, the medical staff can go to several people to see what to do. The medical staff can ask:

- Your spouse
- Your parent
- Your adult son/daughter
- Your adult brother/sister

The medical staff can go to any of these people; they are not listed in any certain order. If family members disagree about your medical care, someone may need to go to court and get a guardianship over you in order to make the necessary medical decisions.

My father is in the hospital in a coma and can't make decisions. Can we get an advance directive for him?

No. An advance directive must be done by the person who will need the medical care, and it

must be done while the person is competent to make such decisions. If your father can't make decisions for himself and family members can't agree on medical decisions, then someone may need to get a guardianship over your father. It is too late for him to do an advance directive.

What kinds of advance directives are there?

In Indiana, there are three basic types of advance directives:

1. Power of Attorney-you give someone else the authority to handle your affairs if you cannot handle them.
2. Living Will-states your wish to die naturally without extraordinary life support if you are terminally ill.
3. Health Care Representative -you designate a person who will make health care decisions for you if you are unable to do so.

You can combine the three basic types of advance directives in one document if you decide you want all three of these.

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