

Phyllis M. Bowers

End-of-Life Choices

Living Wills and Advance Directives

The controversial case of Terri Schiavo, the severely brain damaged woman who didn't have an advance directive, has prompted dialogue and articles touting living wills as the answer to making known your end-of-life wishes. With this heartbreaking case in mind, I write this article to help explain the different documents and provide additional resources with the caveat to prepare well by making your wishes clear and legally binding so that your family may avoid unnecessary suffering and confusion.

An Advance Directive is a legal document that communicates your instructions to health care providers about the usage of life-prolonging medical treatment if you become unconscious or unable to make your own medical decisions. There are two types of advance directives: the Living Will, which expresses your wishes but does not name a 'patient advocate' nor allow for withholding of nutrition/hydration, and the Durable Power of Attorney for Health Care (DPA), which legally appoints a 'patient advocate' to follow your wishes and act on your behalf.

Generally a DPA is more functional than a living will; however, a DPA may not be a good choice if you don't have a person whom you trust to make these decisions for you. Often living wills don't ensure that your wishes will be respected because, according to Liz Pulliam Weston, MSN Money financial planner, they are too vague; don't address changing circumstances; not used; can't be found; and are not able to 'shout down' a quarrelsome family member. Andrew Thurman, a Pittsburgh attorney specializing in health care issues, says, "The more formal and comprehensive the document, the more comfortable health care providers are going to be in implementing it over objections of someone screaming at them."

Five Wishes is a wise choice because it is a comprehensive living will and DPA that is legally valid in 35 states (see sidebar) when properly completed by you and witnessed by two people. It is easy to understand with no legal 'mumbo-jumbo.' Five Wishes explains life support treatment, allows you to express to your family and medical providers your care preferences – medically, emotionally, and spiritually – and the circumstance under which you will accept various degrees of life support. Keep the signed original in your home and carry a completed wallet card. Give copies to your doctor and DPA. You may order Five Wishes from Aging With Dignity, a non-profit advocacy group, by visiting <http://www.agingwithdignity.org/>, or by calling 850-681-2010. You may print a free Living Will/DPA (not Five Wishes) from WellSpan Health at

www.wellspan.org/ContactUs/Adbklet.pdf. U.S. Living Will Registry will store it electronically and make it available 24-hours a day at www.uslivingwillregistry.com. Interestingly, Five Wishes was developed by an attorney, H. James Towey, in Reading, Pa., who worked for twelve years as legal counsel for Mother Teresa of Calcutta. He saw first-hand Mother Teresa's commitment to the God-given dignity of those entrusted to her care. It was his experiences with the dying that inspired him to found Aging With Dignity and create Five Wishes.

Phyllis M. Bowers is a United Methodist elder and Co-Executive Director of Planned Giving and Stewardship Service of the Stewardship Foundation. This article originally appeared in The Link (May 2005).

Five Wishes

Five Wishes meets legal requirements in the following states (and the District of Columbia.)

In a state that is not listed, Five Wishes can still be useful as an attachment to required forms.

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Hawaii	Montana	Washington
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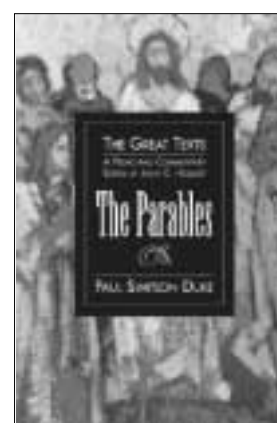
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