



ADVANCE HEALTH DIRECTIVES

Every competent adult has the right to accept or refuse any recommended health care, which is relatively easy when people are well and can speak for themselves. Unfortunately, during severe illness people are often unconscious or otherwise unable to communicate their wishes - at the very time when many critical decisions need to be made. By completing an Advance Health Directive, you can make your wishes known before this happens.

If you become seriously ill or unconscious or are no longer able to make decisions, you may be unable to communicate your health care decisions.

As an adjunct document to an Enduring Power of Attorney an Advance Health Directive (AHD) allows you to record what medical treatment or health care you would like in the event that you cannot make decisions for yourself. You do so by giving specific directions to your attorney/s for health matters.

An AHD is a document prepared in consultation with your doctor who must explain the medical terminology to you and its effect.

Once you have a directive, it is recommended you provide copies of it to your doctor and family and that you carry a card with you to this effect so that medical staff can refer to the document if needed.

The Department of Justice and Attorney - General's website has information on:

- When and how to make an Advance Health Directive
- Relevant information to include
- How to change or revoke a directive

If you do not have an Advance Health Directive and have not appointed an attorney to look after your health-related matters if you become incapacitated, (e.g.

by preparing an Enduring Power of Attorney) a statutory health attorney will automatically be appointed.

The person appointed as attorney is usually assigned based on their relationship to you but may not necessarily be the person you prefer. The appointment process may cause arguments amongst your family members, and may result in the Adult Guardian being appointed if family members can not agree.

To ensure peace of mind and minimise the risk of legal issues for your family, it is recommended everyone have both an Enduring Power of Attorney and an adjunct Advance Health Directive.

These are important documents that can express your wishes and let your next of kin know how to proceed, while you still alive but incapacitated.

Please contact our office if you wish to create or review your AHD.

Please see below for some of the most Frequently Asked Questions about AHDs.

AHD Frequently Asked Questions

What is an Advance Health Directive?

An Advance Health Directive is a document that states your wishes/directions regarding your future health care for various medical conditions. It comes into effect *only* if you are unable to make your own decisions.

Can anyone make an Advance Health Directive?

Anyone who is over eighteen years of age and is capable of understanding the nature of their directions and foreseeing the effects of those directions can generally make an Advance Health Directive.

What do I need to consider before making an Advance Health Directive?

You should think clearly about what you would want your medical treatment to achieve if you become ill. For example:

- If treatment could prolong your life, what level of quality of life would be acceptable to you?
- How important is it to you to be able to communicate with family and friends?
- How will you know what technology is available for use in certain conditions?

You should discuss this form with your doctor before completing it, and your doctor must then complete a section of the Advance Health Directive form.

The purpose of an Advance Health Directive is to give you confidence that your wishes regarding health care, within the parameters of the law, will be carried out if you cannot speak for yourself. (Please note that euthanasia is a breach of the law.)

Can I cover all possible health-care decisions in this form?

This document generally covers decisions at the end-stages of illness. If you have lost capacity but are not at the end stage of an illness, a person appointed under an enduring power of attorney may make most other health-care decisions on your behalf.

If you have already given someone enduring power of attorney for personal/health matters, you should discuss this directive with that person and complete the relevant section in the Advance Health Directive document.

If you have **not** yet appointed anyone and you wish to do so, we recommend that you complete a separate enduring power of attorney form, rather than appointing attorneys under an

advance health directive. You may also then appoint attorney(s) to act for financial matters.

Can I change or revoke my Advance Health Directive?

You can change your directions at any time while you remain mentally capable of doing so, by completing a new document.

You may also totally revoke your directive in writing at any time.

What do I do with the completed document?

You should keep it in a safe place, and you may wish to give a copy to your own doctor, to your attorney for personal/health matters if you have appointed one, to a family member or friend and/or to your solicitor.

If you are admitted to hospital, make sure the hospital staff know that you have an Advance Health Directive and where a copy can be obtained.

You may also wish to carry a card in your purse or wallet stating that you have made a directive, and where it can be found.

How often should I update my Advance Health Directive?

It is strongly recommended that you review the document every two years, or if/when there is a major change in your health status (e.g. if you are diagnosed with a serious illness). If you do want to make major changes, you will need to complete a new document.

Where can I get help with my Advance Health Directive?

Your doctor can explain any medical terms or other words that you are unclear about. You may also wish to discuss your decisions with family members or close friends. You should discuss the legal nature of the document with your solicitor.