



South Lake Surgery Center
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ADVANCE DIRECTIVES

Dear Patients and Family Members:

Every person has the right to make decision about his or her medical care. This is the law and it includes the right of a person, or his or her family, to withhold life support in certain circumstances. When a person has a terminal and irreversible condition, life support measures can cause loss of dignity, poor quality of life, and an uncertain and difficult future. South Lake Surgery Center recognizes and respects the rights of all patients in these situations, even when they can no longer participate in decisions regarding their health and medical care.

An Advance Directive is a written statement that describes your wishes regarding medical care, if such a situation should ever arise. There are two types of Advance Directives: a Living Will and a Durable Power of Attorney for Health Care Decisions.

Federal law requires South Lake Surgery Center to provide you with information about advance directives.

We hope that you will find this information helpful and informative. If you would like to complete an advance directive or need more information, please ask one of our staff to help you.

FREQUENTLY ASKED QUESTIONS

What is the difference between a living will and a durable power of attorney?

- A Living Will is a written document that explains your wishes relating to the use, maintenance, withholding, or withdrawal of "life-sustaining procedures." "Life-sustaining procedures" may include, depending upon the circumstances, CPR, mechanical ventilator breathing, and even food and water (i.e. tube feeding). A Living Will is used if two physicians determine that you have a terminal condition and you are unable to make a decision regarding "life-sustaining procedures."
- A Durable Power of Attorney for Health Care Decisions is a signed document that allows you to name another person (proxy) to make medical decisions for you in the event you are unable to do so for yourself. Although not required, it is strongly recommended that a Durable Power of Attorney be executed before a notary public and before two witnesses.

How can I make an advance directive?

- Any adult, at any time, can make an advance directive. A sample Living Will and Durable Power of Attorney form is provided for you with this information. You can complete the forms provided or develop your own. You should be as specific as possible and follow these guidelines:
 - The Living Will must be signed and dated by you and must be executed in front of two witnesses. The witnesses must also sign. The witnesses must be competent adults who are not related to you by blood or marriage and are not entitled to any part of your estate at the time of your death. NOTE: If a witness fails to meet the criteria in the preceding sentence, the Living Will is invalid
 - If you execute a Durable Power of Attorney for Health Care Decisions, you should also do so before a notary public and two witnesses. While execution of the Durable Power of Attorney before a notary public is not legally required, doing so makes it easier for third parties to validate the authority claiming to be acting on your behalf.

- Discuss your advance directive with your family and your physician.
- Makes copies of your advance directive for yourself, your physician, and your proxy if you signed a durable power of attorney. You should bring a copy of your advance directive to the hospital whenever you are admitted. Your advance directive will be kept as a permanent part of your medical record when you present it.

Can I change my mind if I already signed an advance directive?

- Yes, you can always change or cancel your advance directive. You should review your advance directive regularly and make changes as necessary. Always inform your family, physician, and proxy of any changes. You can cancel your advance directive by destroying it (and any copies), by writing a signed statement expressing your desire to cancel the directive, or simply by speaking your wishes or indicating them by gestures if you are unable to speak.

Do I have to make an advance directive?

- No, you are not required to make an advance directive and no one can force you to make one.

Can my family stop my advance directive from being honored?

- No, unless someone can prove that you were not of sound mind when you signed the advance directive. If a situation such as this should arise at South Lake Surgery Center, the Ethics Committee would assist in resolving any problems.

Why is it a good idea for me to make an advance directive?

- It ensures that your wishes will be honored.
- It protects your family from the stress and responsibility of making difficult decisions.
- It allows you to still have control over your healthcare, even if you can't speak for yourself.

If I create a living will, can I refuse certain treatments but allow others?

- Yes, you determine what treatment will or will not be provided. Your advance directive can accept or refuse specific treatments such as: CPR, mechanical ventilation, tube feedings, dialysis, and can even specify wishes for organ donation.

If I have an advance directive, will it prevent me from receiving healthcare if my condition is not terminal or irreversible?

- No, advance directives are used only when an individual's condition is terminal or irreversible. It will not prevent an otherwise healthy person from receiving life-saving care when needed.

What if I am a member of the military or am another person that qualifies for legal assistance by the department of defense and have a living will or durable power of attorney that does not comply with these requirements?

- Federal law provides that Living Wills and Durable Powers of Attorney executed by military personnel (including reserves and Louisiana National Guard) or others who qualify for legal assistance from the U.S. Department of Defense and which were prepared by a government attorney are valid. Such military Living Wills and Durable Power of Attorney include the following bolded paragraph:

This is a **MILITARY ADVANCE MEDICAL DIRECTIVE** prepared pursuant to Title 10, United States Code, Section 1044(c). It was prepared by an attorney who was authorized to provide legal assistance for an individual who was eligible to receive legal assistance. Federal law exempts this advance medical directive from any requirement of form, substance, formality, or recording that is provided for advance medical directives under the laws of a State. Federal law specifies that this advance medical directive shall be given the same legal effect as an advance medical directive prepared and executed in accordance with the laws of the State concerned.