

FREQUENTLY ASKED QUESTIONS ABOUT ADVANCE DIRECTIVES

1. When does my Durable Power of Attorney for Health Care take effect?

When you are unable to communicate and/or to express your wishes.

2. When does my Living Will take effect?

When the criteria stated in the Living Will are met (i.e., when a doctor certifies that you have a terminal, incurable illness or injury; or when you are permanently unconscious or in a persistent vegetative state. OR if the criteria set forth in the "Special Provisions" section have been met and you have chosen any of the provisions in that section.

3. If my Living Will says to withhold medical treatment, will medical personnel outside a hospital, such as paramedics, withhold treatment based on the Living Will alone?

No. In order to be "Do Not Resuscitate" (DNR) outside of a hospital, you must have a POST (Physician Orders for Scope of Treatment) that designates your choice of DNR. The POST form must be obtained through your physician, nurse practitioner or physician assistant, and must be signed by your provider in order to be valid.

4. What if I change my mind about the options in my Living Will or my choice of Health Care Agent(s)?

You revoke your Advance Directives at any time and create new Advance Directives. And you are the only person who can change or revoke your Advance Directives.

5. Can my Health Care Agent override the choices I have made in my Advance Directives?

No. Your Health Care Agent's "job" is to make your wishes known and to advocate with the health care team to ensure your wishes are followed. You should make sure that the Health Care Agent and any alternate(s) you have chosen are willing and able to follow your wishes.

6. Who should have copies of my Advance Directives?

You should keep the original document in a safe place, but one that is accessible to your family in case it becomes necessary to utilize the documents (i.e., not in a safe or safe deposit box). You should provide copies of the documents to your Health Care Agent, your primary care physician, and your local hospital. You should also talk with your family, your Health Care Agent and your primary care physician about your wishes.

7. Does my Living Will/Durable Power of Attorney for Health Care document require witnesses or notarization?

Per Idaho Statute, no witnesses or notarization are required for the Living Will or Durable Power of Attorney for Health Care.