**Advance Care Planning **

## Getting Started

**If I am not able to say what I want, can someone else make health care decisions for me?**

Yes. You can fill out an Advance Directive called a Power of Attorney for Health Care. This lets you name a Health Care Agent, or decision maker, to speak for you. It is important to let your Health Care Agent and family know what your wishes are. If you don’t name someone to be your Health Care Agent, then state law has a set of rules for how decisions will be made for you if you can’t speak for yourself. Many times, this involves the court appointing a guardian, which can be expensive, time consuming, and very difficult for families.

**Can you explain the different types of Advance Directives?**

Your Advance Directives are your written wishes about your health care that you provide ahead of time. Each of these terms is one type of Advance Directive:

* A Power of Attorney for Health Care is an Advance Directive where you name a person to make health care decisions for you if you are unable to do so. This person is called your Agent. (This directive may also be called a Durable Power of Attorney for Health Care, a Medical Power of Attorney.)
* A Living Will is another type of Advance Directive where you can indicate your wishes for health care in an emergency or end-of-life situation. In Wisconsin, the Living Will document is restricted to situations where a person is in a persistent vegetative state or has a terminal illness.
* A Declaration to Health Care Providers is an Advance Directive used to state preferences and wishes for health care in all types of situations and is broader than the Living will.
* A Do Not Resuscitate (DNR) Order is a doctor's order to tell medical staff and first responders that you do not wish to have CPR performed if your heart stopped beating or if you stop breathing.
* Signing up or registering to be an organ donor is another type of advance directive, as you are stating your wishes should you not be able to communicate.
* A Power of Attorney for Finances is another type of Advance Directive where you name who can speak and act for you regarding your finances if you are unable.

The Fox Valley Advance Care Planning Partnership uses an Advance Directive document that includes the Power of Attorney for Health Care along with space to state your wishes for care (Declaration to Health Care Providers). If this document does not meet your needs, there are others available. Please contact us if you have questions or need help.

**What do you mean when you say Wisconsin is NOT a next-of-kin state?**

Wisconsin is one of a small number of states that does **not** have a surrogacy law (also called "Next-Of-Kin") for who will speak for you if you are alive, but unable to speak for yourself. People often think if they are in a car accident and cannot speak for themselves, their next-of-kin (maybe their parent, spouse, sibling, or adult child) will be automatically able to make these decisions. **This is NOT TRUE in Wisconsin!**If you want your next-of-kin to speak for you, you must complete a legal form to make your wishes known. If you ***DO NOT***want your next-of-kin to speak for you, you must complete a legal form to make your wishes known.

**What happens if I do not have an Advance Directive?**

You will still receive medical care even if you do not have an Advance Directive. You may not receive the type of care and treatments you would want if you could still make decisions for yourself. If you cannot speak for yourself and do not have an Advance Directive that names your Power of Attorney for Health Care, a health care institution may ask the courts to appoint a legal guardian who would then make decisions for you.

**When do Advance Directives go into effect?**

Advance Directives are used only if you can’t tell people what you want regarding your medical care. If you are able to receive information (hear or read), understand that information, and then communicate (speak or write), then you continue to make your own decisions and the Advance Directive cannot be activated.

**Do I need an Advance Directive if I’m young and healthy?**

Yes. All adults age 18 and older need an Advance Directive in Wisconsin, especially the Power of Attorney for Health Care where you name a person to speak for you if you are unable. Accidents and sudden illness do not discriminate by age or health status and you never know when you might need someone to communicate your health care decisions for you. Having an Advance Directive will help you to make sure that your wishes are known.

**What if I’m not sure what I want now?**

That’s very common. Completing your Advance Directive is important to ensure someone you trust will have the legal ability to speak for you if you cannot. We encourage you to share as much information as you are comfortable with in your document and also to have ongoing conversations with your Agent about your wishes for health care. If you become surer about what you want or don’t want regarding specific medical treatments or health care, you can always complete a new document.

**Do Advance Directives only apply to end-of-life issues?**

No. Advance Directives apply in any situation where you have lost the ability to speak for yourself and direct your medical care. This could be due to something like a car accident, a fall, a sudden illness or health problem such as a stroke, or anything else. If you experience something like this, you may be at the end of your life or the situation may lead to your death, and you may also recover. No matter what, medical decisions would be made for you based upon your instructions. If you get better and regain the ability to speak for yourself, the document would be deactivated and you would be in control again.

**My children take care of that business. Do I really need this?**

Yes. Your children are not automatically able to make health care decisions for you if you lose the ability to do so, as Wisconsin is not a next-of-kin state and there is no legal decision maker in these situations. Your children are also likely to have different understandings of your health status and your preferences for health care, and may not agree on what the best decision is (given the unique situation). Completing these documents is a gift to your family. If something does happen, don’t make them have to go through this without your clear instructions.