

Health Care Decisions

By Judith S. Parnes, L.C.S.W., C.M.C.

Each day, families and health care providers across the United States struggle with decisions regarding life support treatment. Every competent adult may accept or refuse recommended medical treatment as part of his/her right to self-determination. However, these wishes are sometimes difficult to convey. It is often the case that a medical crisis occurs and the individual is not capable of expressing their treatment goals and the appropriate documentation to support a person's wishes does not exist.

There are two important concepts regarding treatment decisions: "What kind of treatment will I accept?" and "WHO will ensure that my wishes will be respected?"

Living Will

A living will, or Advance Medical Directive, is a document written while a person is able to make health care decisions, and takes the legal opportunity to record future treatment wishes. It is designed to enable the individual to record specific preferences in regard to medical treatment. Both the New Jersey and US Supreme Courts have emphasized the importance of placing medical treatment preferences in writing, with advance medical directives seen as "the best evidence" of a patient's medical treatment wishes.

A Living Will Declaration sets forth specific directions regarding medical treatment, including the right to REFUSE or REQUEST treatment. By specifically detailing medical intervention, the individual must be very careful in understanding key terms. Examples of specific treatments often identified in Living Wills are: cardiac resuscitation, mechanical respiration, artificial feeding and/or fluids. Other possibilities are: pain medication, surgery, renal dialysis, chemotherapy, invasive diagnostic tests, blood or blood products, antibiotics and diagnostic tests. The difficulty of writing advance medical directives cannot be minimized, and requires medical understanding and dialogue with family members and your medical provider. Unfortunately, general statements such as "no heroic measures" which have been sometimes written are often difficult to translate into specific medical instructions. Under the publications section of the Elder Life Management website, (www.elderlifemanagement.org), there is an easy to follow form that many families have found useful for discussing and sharing specific medical instructions regarding life support treatment.

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