

Do I have to accept all medical treatment that is available?

No. You have a right to accept or refuse any proposed medical tests or treatment.

How will I know how to decide?

Your doctor will tell you what treatment or testing he or she recommends. Your doctor will also tell you that there may be alternatives and risks. If you want to know more, your doctor will tell you about the treatment or test, the available alternatives and the material risks. When you have enough information, you decide whether to have the test or treatment.

How can I plan ahead for a time when I may be unable to make decisions?

Oregon has an official form you can sign to cover future situations when you are unable to decide. This form is called an Advance Directive. It has two main parts, one called “Health Care Instructions” and the other called “Appointment of Health Care Representative.”

How can I control what health care I get if I become unable to make health care decisions?

By completing the “Health Care Instructions” on the Advance Directive form. This lets you control the medical treatment you get and under what circumstances you will get it.

How do I appoint someone else to act for me?

By marking the “Appointment of Health Care Representative” on the Advance Directive form. This lets you select another adult as your representative. That person should be someone you trust to decide about your health care when you cannot do so yourself. Your representative cannot act for you unless you become unable to make your own decisions. You may also appoint an alternate representative. The representative and any alternate must sign the form agreeing to serve. The Advance Directive form lets you say what decisions those persons may make for you. It is a good idea to discuss your wishes with the person(s) you appoint.

How does an Advance Directive take effect?

If you are an adult able to make your own decisions, you can sign an Advance Directive at any time. You do not have to fill out and sign the form if you don’t want to. But if you do, your doctor must follow it or allow you to be transferred to a doctor who will. Signing the form will not affect your insurance.

How do I obtain and sign my Advance Directive?

Healthcare facilities and some stationery stores have the official forms. Lawyers and doctors may have one or help you obtain one. In Oregon, the only reliable way to be sure your wishes are followed is to use the official form. Read and follow the “Important Information” at the

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beginning of the form. If the printed form does not express your wishes, you may cross words out or write your own words in. Do not add anything about money or property. The form must be signed by you and two witnesses who must satisfy special requirements. Send a copy to your doctor and to the person you choose as a representative. Keep the original where it can be easily found.

How long does an Advance Directive remain in effect?

You may write in an expiration date. If you do not, the form will be good until you revoke it. You may revoke it at any time and in any manner, but the best way is by notifying those who have your form. Unless you say otherwise on the form, a new Advance Directive takes priority over an older one. Your representative can withdraw at any time by notifying you or your doctor. Divorce revokes appointment of a spouse, but you can reaffirm appointment by signing a new directive.

Are there healthcare decisions that a representative can't make?

Yes. Your representative may not decide about mental health treatment, sterilization, abortion, psychosurgery, shock treatment or mercy killing. You can make advance decisions about mental health treatment using an official form called a "Declaration for Mental Health Treatment," available from some stationery stores or your local mental health agency.

How will my representative make decisions for me?

Your representative must act in the way you specify on an Advance Directive form. He or she must also follow your known wishes. If your representative does not know what you want, he or she must act in your best interest. Your representative does not have to pay your medical bills.

Can my representative prevent or stop life support?

Yes, if your Advance Directive form say so. If you have not given specific instructions, the law specifies four critical medical conditions in which your representative may decide about life support for you:

- Life support would not benefit you and would cause you permanent and severe pain;
- You are close to death and life support would only postpone the moment of your death;
- You are permanently unconscious; or
- You are in an advanced stage of a progressive, fatal illness.

The law also allows your representative to decide about life support in other circumstances you designate on the form. But you must get routine care for your cleanliness and comfort. Life support will not be prevented or stopped if your form says you would want it continued.

Can my representative prevent or stop food and water by tube?

Yes, if your Advance Directive form says so. In addition, your representative may prevent or stop tube feeding if you have clearly said that you would refuse it. Otherwise, you must get tube feeding that would prolong your life, unless you have one of the four critical medical

conditions that the law specifies. Your representative cannot refuse food or water you can take in a normal way.

How are decisions made for me if I don't have an official form?

If you have one of the four critical medical conditions that the law specifies, an Oregon statute allows close relatives and friends to decide about life support for you. Otherwise, the law does not clearly identify the decisions that relatives or friends may make for you. Relatives, friends or others may seek clear authority from a court by being appointed your guardian.

Is an Advance Directive I signed under another state's law good in Oregon?

Yes, if you did not live in Oregon when you signed it. Oregon residents may only use an Oregon form.

Are Oregon's earlier official forms still good?

Yes, if you signed a "Power of Attorney for Health Care" or a "Directive to Physicians" before November 4, 1993, you can still use it. Even though the old forms are similar to the Advance Directive, there are some big differences:

- A "Directive to Physicians" is a legal statement that you do NOT want artificial life support which would only postpone your death when you are terminally ill.
- A "Power of Attorney for Health Care" allows your representative to stop life support if you checked the line on the form referring to "life-sustaining procedures". It allows your representative to prevent or stop food and water by tube if you checked the line on the form referring to "artificially administered nutrition and hydration". Otherwise, the form allows your representative to forego tube feeding for you only if you have one of the four critical medical conditions that the law specifies.
- Unless you sign an Advance Directive, the "Directive to Physicians" remains in effect unless or until you revoke it. The "Power of Attorney for Health Care" expires after seven years unless you are already incapable when it expires.

How can I find out more?

By calling Oregon Health Decisions, a private nonprofit corporation (241-0744 toll free 1-800-422-4805) or by consulting an attorney.

NOTE: This statement reflects Oregon law effective November 4, 1993. It is a general summary of the rights of competent adults in Oregon. It does not contain all the technical details of the law. Also, it does not deal with decisions for minors, for those who are now mentally incapable or about treatment outside of Oregon.