

ADVANCE DIRECTIVES

INFORMATIONAL DOCUMENT

Making Decisions about your Health Care

All Medicare and Medicaid-certified Ambulatory Surgery Centers are required by Federal law to provide information on Advance Health Care Directives ("AHCD") to their patients, staff and community.

What is an Advance Health Care Directive?

An Advance Health Care Directive is the best way to make sure that your health care wishes are known and considered if for any reason you are unable to speak for yourself.

Is an Advance Health Care Directive different from a "living will?"

The Advance Health Care Directive is now the legally recognized format for a living will in California. An Advance Health Care Directive allows you to state your wishes about refusing or accepting life-sustaining treatment in any situation.

Is an Advance Health Care Directive different from a "Durable Power of Attorney for Health Care?"

The Advance Health Care Directive has replaced the Durable Power of Attorney for Health Care or ("DPAHC") as the legally recognized document for appointing a health care agent in California. The Advance Health Care Directive allows you to do more than a DPAHC. An Advance Health Care Directive permits you not only to appoint an agent, but to give instructions about your own health care.

Natural Death Act Declaration. Is it still valid? Do I have to complete a new Advance Health Care Directive?

All valid Durable Power of Attorney for Health Care ("DPAHC") and Natural Death Act Declarations remain valid. Thus, unless your existing DPAHC has expired, you do not have to complete a new Advance Health Care Directive. A DPAHC executed before 1992 has expired and should be replaced.

Because the new Advanced Health Care Directive gives you more flexibility to state you health care desires, you may wish to complete the new form even if you previously completed a DPAHC or Natural Death Act Declaration. At a minimum, you should review your existing DPAHC or Natural Death Act Declaration to make sure it has not expired and that it still accurately reflects your wishes.

Who can complete an Advance Health Care Directive?

Any California resident who is at least (18) eighteen years old (or is an emancipated minor), of sound mind, and acting of his or her own free will can complete a valid Advance Health Care Directive.

Witnessing the document:

Two people **OR** a California notary public must witness the signing of the Advance Health Care Directive. Certain persons cannot witness an AHCD. These include the health care providers, their employees and volunteers.

If you elect two people to witness your signature, at least one of these cannot be related to you by blood, marriage, or adoption, or be named in you will.

The involvement of an attorney is not required.

Who should have copies of the AHCD ?

Give copies to your agents, physicians, and other designated family members. Bring a copy to the surgery center when you are admitted and it will be placed in your chart and kept as part of your permanent record.

You can update an address or telephone number by writing in the new information and initialing the changes.

Completing a new Advance Directive will automatically revoke any prior one.

Where can I get a AHCD form?

AHCD forms can be purchased in Spanish or English at various stationers or by calling the California Medical Association, Sutter Publications, in San Francisco, at (415) 882-5175.

Community agencies that can assist you:*

Health Library and Resource Center
El Camino Hospital
2400 Hospital Drive
Mountain View, CA 94040
Phone: (650) 940-7210

PlaneTree Health Library
Good Samaritan Hospital
15891 Los Gatos-Almaden Road
Los Gatos, CA 95032
Phone: (408) 358-5667

Senior Adults Legal Assistance (SALA)
160 Virginia, Suite 260
San Jose, CA 95112
Phone: (408) 295-5991

*Call to schedule a 60-minute
appointment for free assistance
with AHCD.*

*Sample documents and
educational video available.*

Legal Aid Society of Santa Clara County
480 N. First Street, Suite 100
San Jose, CA 95013-5200
Phone: (408) 998-5200

Santa Clara County Bar Association
Lawyer Referral Service
(408) 971-6822
www.sccba.com to submit online
request for referral

*This list is provided as a courtesy to you and may not be a complete list.