

Is Making an Advance Directive Complicated?

Deciding what health care services you want may be complicated, but making an advance directive is not. All that is required is:

- That it be in writing;
- That it be signed by you;
- That your signature be witnessed by two adult witnesses (over 18) or by a Notary Public or other legal official (like a New Jersey attorney or judge.)

There is no specific form of Advance Directive that must be followed in New Jersey, although there are many model forms available. You don't need a lawyer to prepare an Advance Directive. It can be as simple as a letter stating your health care wishes, or naming the person you trust to make health care decisions for you.

For More Information on Advance Directives

Feel free to call (908) 273-5550 and speak to a professional in one of the following SAGE Eldercare programs:

- Eldercare Planning and Guidance
- InfoCare
- HomeCare
- Spend-A-Day Adult Day Health Center



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Your Guide to

Advanced Directives for Healthcare

in New Jersey

The SAGE Eldercare Mission

SAGE Eldercare supports the independence, well-being and quality of life of older adults, their families and caregivers by offering a broad range of client-centered health, social and support services.

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SAGE Eldercare

Your guide to Advance Directives for Healthcare in NJ

You have the right to make decisions about your own healthcare and medical treatment. Because technology advancements have made it possible at times to prolong life beyond that which may be desired by an individual, this right to decide is increasingly important.

What is an Advance Directive?

An Advance Directive is a legal document allowing you to direct those making decisions for you if you become unable to speak for yourself. In New Jersey, an Advance Directive may be used to ask that any treatment, including life-supporting treatments (breathing machines, feeding tubes, CPR, etc) be accepted or refused.

Under New Jersey law, there are 3 types of Advance Directives (any or all may be used):

Instruction Directive

Proxy Directive

Combined Directive

An **Instruction Directive** is also called a "Living Will." This is a legal document in which you state the kind of health care you want or don't want under certain circumstances. It reflects your values and beliefs regarding medical care and end-of-life choices.

A **Proxy Directive**, also called your Health Care Proxy or Health Care Power of Attorney, is the person you designate to make health care decisions when you no longer can. Your proxy's duty is to make the health care decisions that you would have made. Your proxy is allowed to make choices about your healthcare. Your proxy has no control over your money and cannot be made to pay your bills. You should name one person as your proxy, and name one or two alternates in case your first choice is unavailable to serve. Choose someone you trust. Tell that person what your wishes are or incorporate them in the document – (see Instruction Directive) and make sure that he or she is willing to carry out your wishes.

A **Combined Directive** allows you to do both of the above: name a health care representative and tell that person your treatment wishes. In most cases, it is advisable to have a Combined Directive.

It is very important, no matter who you choose as your healthcare representative to make decisions for you when you no longer can, that you inform that person and discuss your desires and values with him/her. The whole idea of an Advance Directive is to assure that your wishes will be honored. No one can honor your wishes unless they know what they are.

Organ Donation:

It is a good idea to state in your Advance Directive your wishes about donation of organs and tissue, even if you carry an Organ Donation card in your wallet.

Sharing Your Advance Directive:

It is very important to discuss your Advance Directive with your health care representative, your family, your doctor, and others who are close to you. You should bring a copy with you when you are admitted to a hospital, nursing home or other healthcare agency. Your advance directive becomes part of your medical record.

What if I Change My Mind?

Your advance directive can be changed or revoked at any time. If you make changes or draft a new advance directive, be sure you give copies to the appropriate people and void all copies of the old one.

What if I do not have an Advance Directive?

Each person is treated according to his/her needs and wishes, if known, regardless of whether or not there is an Advance Directive.

Following Advance Directives in Other States:

Although laws differ, most states will abide by a valid Advance Directive written in another state. If you travel frequently, it is a good idea to have all signatures notarized, although notarization is not required in New Jersey. If you move to another state, you should review that state's requirements and revise your Advance Directive if necessary.