



**ELDER LIFE MANAGEMENT
& HOME CARE SERVICES**

We Have Solutions

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Who Will Speak for Me?

ADVANCE MEDICAL DIRECTIVE AND MEDICAL POWER OF ATTORNEY

There are two important concepts regarding treatment decision: “WHAT kind of medical treatment do I want?” and “WHO can or will ensure that my wishes are respected?” The Advance Medical Directive records the “WHAT” component, and the Medical Power of Attorney addresses the “WHO” query.

ADVANCE MEDICAL DIRECTIVE (AMD) is a document executed while an individual is able to make health care decisions. It is designed to record specific preferences in regard to medical treatment. Both in New Jersey and the U.S.

Supreme Courts have emphasized the importance of placing medical treatment preferences in writing, with Advance Medical Directives being seen as “the best evidence” of a patient’s medical treatment wishes. An AMD sets specific directions regarding medical treatments, including the right to request of refuse treatment. When specifically detailing medial intervention, it is very important to understand key terms. Examples of specific treatments often identified in an Advance Medical Directive are: cardiac resuscitation, mechanical respiration, artificial feeding and/or fluids. Some other possible medical interventions you may want to consider are listed on page 2.

The difficulty of writing Advance Medical Directives cannot be minimized and requires medical understanding. People frequently write general statements such as, “no heroic measures”. Such language is difficult to translate into specific medical instructions.

MEDICAL POWER OF ATTORNEY is a document designed to enable an individual to appoint a specific person to act as his/ her agent. The appointed agent will make medical decision if the individual is no longer capable of making his/her wishes known. Just as a Durable Power of Attorney allows an agent to manage financial affairs in the event of disability, the Medical Power of Attorney allows an agent to manage the medical plan of care in the event of a future disability.

The Medical Power of Attorney, although similar to an Advance Medical Directive in dealing with the general concept of future health care decisions, offers certain advantages by specifically appointing a substitute decision-maker. Instead of trying to anticipate what possible medical interventions may be necessary(as in an Advance Medical Directive), a person can rely on this agent to carry out his/her wishes based on the specific medical circumstances at the time, as well

agent to carry out his/her wishes based on the specific medical circumstances at the time, as well as the knowledge of the individual's personal values. Both the New Jersey and the U.S. Supreme Courts have recognized the role of a "surrogate decision-maker". You may also wish to consider naming a successor (second choice) should the agent named be unable to act on your behalf. Discussion with you attorney, physician and family is suggested.

Easy access to this information is very important, so keep copies filed with valuable papers (not in your safe deposit box) and give a copy of each to your designated agent(s), your family, your doctor, your clergy and your attorney.

FREQUENTLY INTERCHANGED TERMS

MEDICAL POWER OF ATTORNEY
("Who will speak for me?")

Also referred to as:

**DURABLE POWER OF ATTORNEY
FOR HEALTH CARE
HEALTH CARE POWER OF ATTORNEY
DECLARATION
HEALTH CARE PROXY**

ADVANCE MEDICAL DIRECTIVE
("What will they do?")

Also referred to as:

**LIVING WILL
ADVANCE DIRECTIVE
MEDICAL DIRECTIVE**

POSSIBLE MEDICAL INTERVENTIONS

Cardiac resuscitation
Artificial feeding/fluids
Major or minor surgery
Chemotherapy
Blood or blood products

Mechanical Respiration
Pain medication
Kidney dialysis
Invasive or simple diagnostic tests
Antibiotics