

## **Estate planning includes health care directives**

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Estate planning means making important decisions for the people you love. Included in an estate plan are documents that inform your family and medical providers about what type of health care you desire at the end of your life. The Oklahoma Department of Human Services (OKDHS), Aging Services Division, has health care forms available that you can fill out on your own.

### Advanced Directive for Health Care

The Advanced Directive is the best means of expressing your wishes to physicians and others regarding the medical care you wish to receive during the time just prior to your death. This Directive contains four parts: Living Will, My Appointment of My Health Care Proxy, Anatomical Gifts (organ donation), and General Provisions.

- You must be at least 18 years old and of sound mind.
- Two witnesses over the age of 18 must sign the document. They cannot be related to you nor can they inherit from you. It does not need to be notarized.
- Only you can fill out this form for yourself – not a family member, guardian or durable power of attorney.
- You can revoke it at any time in writing or by simply telling your physician, other health care provider, or a witness.
- Make copies of your Directive for your records and family members. Give the original to your physician to make part of your medical record.
- Under Oklahoma law, if you do not have an Advanced Directive, medical providers must assume you want nutrition and hydration to keep you alive.
- This form is also available in Spanish and Vietnamese from OKDHS.

### Oklahoma Do-Not-Resuscitate Form (DNR)

By completing this form, you are instructing physicians and all medical providers that in the event of cardiac or respiratory arrest, you do not consent to the administration of CPR in any form. You can sign this form at home – you do not need to wait to sign it at the hospital or nursing facility. Once signed, the form is portable. Take it with you to the hospital or nursing facility and it must be honored. The form is effective immediately.

- Two witnesses over the age of 18 must sign the document. They cannot be related to you nor can they inherit from you. It does not need to be notarized and your doctor does not need to co-sign.
- If you want this form to be used in your home, display it above your bed and/or on your refrigerator door so emergency responders can see it. Many print this

document on bright yellow paper so it can be easily seen. If emergency responders do not see it, they are required under Oklahoma law to administer CPR.

- You do not have to buy a necklace or bracelet, but you may if you want emergency responders to know your wishes right away. OKDHS does not provide necklaces and bracelets so you will have to pay for this yourself.

### Durable Power of Attorney for Health Care (DPOA)

By completing a DPOA for Health Care, you are appointing someone to make medical decisions for you. This person would also be your representative under the Do-Not-Resuscitate Act (this person is legally authorized to fill out the DNR form for you).

- You must be at least 18 years old and of sound mind.
- The DPOA can choose your health care provider, where you live, review your medical records, and elect hospice care for you.
- You decide when the power becomes effective. It can become effective immediately and continue until revoked. Or, you may choose for the power to become effective when your attending physician determines you are no longer able to manage your person (this determination will be provided in writing and attached to the form).
- This form requires two witnesses (over the age of 18 and unrelated by blood or marriage) and must be notarized.

The state of Oklahoma does not have a form for a Durable Power of Attorney for Finances because they feel you must have an attorney explain this to you. A DPOA for Finances is a very powerful document – that person would have authority to handle all of your financial affairs. Some consider it a license to steal. It is very difficult to police this person. So it is very important you understand what are doing before appointing someone as your DPOA for Finances. Contact your local attorney or Legal Aid Services of Oklahoma (<http://www.legalaidok.org>, 1-888-534-5243) if you have any questions.

To download these three forms, go to <http://www.okdhs.org/divisionsoffices/visd/asd> and look under Quick Links. For a complete list of OKDHS forms and publications, go to <http://www.okdhs.org/library/pubs/>. If you have any questions about any of these documents or need help in filling them out, please contact OKDHS, Aging Services Division at (405) 521-2281, the Senior Info-line at 1-800-211-2116, or your local county extension office.

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