

# Information About Advance Directives

(Iowa Residents)



UnityPoint Health

As a patient at UnityPoint Health, you should have been provided with information that will help you make decisions on medical care you might need in the future. Competent adults have the right to refuse or accept medical treatment after being informed of the procedures and risks.

However, there is growing concern over how medical care decisions will be made when patients are unable to make decisions for themselves. Today, medical technology presents us with a number of treatments that prolong life. Some people do not wish such treatment, while others wish to take advantage of every treatment available. Often decisions must be made when the patient is no longer able to state his or her wishes. A growing number of people are stating their healthcare choices in writing while they are still able to make these decisions.

These legal documents are called Advance Directives, more commonly known as a Living Will and Durable Power of Attorney for Healthcare. You should talk to your physician about the effects of withholding or withdrawing different treatments. It is also a good idea to discuss your decision with your family. While it is not necessary to consult your attorney for your Advance Directive to be a legally binding document, it is often helpful. Let your nurse know if you need assistance with Advance Directives while you are here. An Advance Directive is a document stating your healthcare choices or naming someone to make those choices for you if you become unable to do so.

## IOWA LAW PROVIDES TWO TYPES OF ADVANCE DIRECTIVES:

### 1) The Declaration Relating to Use of Life-Sustaining Procedures, known as a Living Will

### 2) The Durable Power of Attorney for Healthcare

It is important to know that healthcare decisions can be made on your behalf without an Advance Directive. Others will make these decisions, in consultation with

your physician, and these decision makers should be guided by your intentions. However, you will have greater assurance that your wishes will be carried out if you have an Advance Directive.

**A Living Will** is a document directing your physician that certain life-sustaining procedures should be withheld or withdrawn if you are in a terminal condition and unable to decide for yourself. A terminal condition is an irreversible condition that, without life-sustaining procedures, will result in death in a relatively short time or in a state of permanent unconsciousness from which there is no likely recovery. The determination of a terminal condition must be made by the attending physician following consultation with another physician.

A life-sustaining procedure is any mechanical or artificial means which sustains, restores or supplants a vital body function and which would only prolong the dying process for a terminal patient. A mechanical respirator is an example.

A Living Will takes effect only when you have a terminal condition and are unable to make decisions. Iowa's Living Will Law does not permit withholding or withdrawing nutrition or hydration (food or water) unless they are provided intravenously or by a feeding tube.

In addition, medication or medical procedures necessary to provide comfort or to ease pain are not life sustaining, and will not be withheld under a Living Will. It should be noted that the Iowa General Assembly made changes to the Living Will

Law in 1992, so if you completed a Living Will before April 23, 1992, your Living Will may not allow for withdrawal or withholding of intravenous feeding or feeding tubes. It may not apply if you are not about to die but are in a permanent state of unconsciousness with no likely hope of future recovery. It will only apply in those situations if you specifically stated it should. If you did not specify those cases, you may want to complete a new Living Will. You should consult your attorney for advice.

**Durable Power of Attorney for Healthcare** is a document through which you name another person — known as your attorney-in-fact or agent — to make healthcare decisions for you if you become unable. This person is required to make those decisions according to your document or other directions you provide. If your wishes are not known, your agent shall make decisions in your best interest.

The person you name in a Durable Power of Attorney for Healthcare should be someone you trust and who agrees to be your agent. The law does not allow this person to be your doctor, nurse or other person providing healthcare to you on the date you sign the document; or any employee of the doctor, nurse or any hospital or healthcare facility providing care to you, unless that employee is a close relative.

Your agent can make any decision you can make regarding treatment of your physical or mental condition, including withdrawal of intravenous feeding or feeding tubes. In all cases, your agent must act according to your wishes, and if you wish, you may limit your agent's scope of authority. It is important to discuss your wishes with the person who will be your agent, and you may also state them on the Durable Power of Attorney form. It is advisable to name an alternate agent in case the person you appoint becomes unable or unwilling to act on your behalf.

A Living Will is a directive to your physician; while Durable Power of Attorney for Healthcare lets you name an agent that will direct the physician. A Living Will applies only if it is your intention not to have life-sustaining procedures withheld or withdrawn, and you are in a terminal condition. Durable Power lets you specify the healthcare you want or don't want, and its application is not restricted to terminal conditions or decisions about life-sustaining procedures. However, both documents apply only when you are unable to make your own decisions.

If you are uncertain about which documents are best for you, consult your physician or attorney for guidance. UnityPoint Health ensures that the wishes of the patients and their families or designated representatives are followed whenever possible, in the hospital's capacity or to the extent permitted by law.

If you need additional information on Advance Directives, or would like a copy of the worksheets and forms that are necessary to prepare your own Advance Directive, just ask a nurse any member of our clinical staff.

You may also download *The Gift of Peace of Mind*, a full booklet that will help guide you through the process of completing Advance Directives. Please visit [unitypoint.org/AdvanceDirectives](http://unitypoint.org/AdvanceDirectives).