

## **Advance Directives**

### **The Patient Self-Determination Act**

**The Patient Self-determination Act is a federal law that requires hospitals “provide written information” to adult inpatients concerning “an individual's right under state law to make decisions concerning medical care, including the right to accept or refuse medical or surgical treatment and the right to formulate advance directives.” To help patients make these choices, New Mexico law provides for advance directives. This brochure outlines what advance directives are and what New Mexico statutes require.**

Advance directives are papers that state a patient's choices for treatment. This includes decisions like refusing treatment, being placed on life support, and stopping treatment at a point the patient chooses. It also includes requesting specific life sustaining treatments.

There are several kinds of advance directives. The three that are most common are listed below.

Persons with pre-determined advance directives **must bring copy with them on date of surgery.**

#### **The Living Will**

A form that states that life sustaining procedures should be withheld or withdrawn. This only goes into effect when the patient can no longer make decisions. Medical procedures which are necessary to provide comfort or pain relief are not considered life-sustaining procedures. For the Living Will to be effective, two physicians must personally examine the patient and determine that the patient has a terminal illness. The physicians must agree that death will occur with or without intervention. The living will must be notarized or signed by two witnesses. These witnesses must be two adults that are not involved with the patient's care or financially responsible for the patient.

#### **The Durable Power of Attorney for Health Care**

A form in which a person gives someone else the right to make decisions about their health care. This person is called an "agent." An agent cannot be a physician or other health care provider, unless the health care provider is related by blood or marriage to the person signing the document. This document must also be notarized or signed by two witnesses. These witnesses must follow the same criteria as the Living Will.

#### **The Pre-Hospital “Do Not Resuscitate Request”**

A form that lets the patient prohibit medical procedures outside the hospital. The form must be signed by a doctor and given to emergency personnel if they are called.

**New Mexico Surgery Center Multi-Specialty's Policy:** Regardless of the contents of any Advance Directive or instructions from a healthcare surrogate or attorney in fact, that if an adverse event or unexpected deterioration occurs during your treatment at this facility we will initiate resuscitative or other stabilizing measures. Arrangements for transfer to an acute care hospital for further evaluation along with a copy of your advance directive will be provided.

*If you do not agree to this policy, we are pleased to assist you to reschedule your procedure.*

For further information please visit the website at: [www.caringinfo.org/stateadownload](http://www.caringinfo.org/stateadownload) or 1-800-658-8898