Summa Health™

Advance Directives Information & Do Not Resuscitate Orders

summahealth.org

Contents

You Have a Choice 4

How do Advance Directives affect my care? 4

What are my rights in choosing my medical care? 5

What if I am too sick to decide and cannot make my wishes known? 5

What kinds of forms are there to complete? 5

Living Will 6

What is a Living Will? 6

Anatomical Gifts 6

Healthcare Power of Attorney 6

Whom should I choose to be my Healthcare Power of Attorney? 6

When does my Healthcare Power of Attorney take effect? 6

If I do not have a Healthcare Power of Attorney, who participates in my medical care if I cannot? 6

Declaration for Mental Health Treatment 7

Do Not Resuscitate (DNR) Order 8

What is a DNR order? 8

What is the difference between DNR Comfort Care and DNR Comfort Care-Arrest? 8

DNR Comfort Care 8

DNR Comfort Care-Arrest 8

Artificially Supplied Food and Water 8

When might artificially supplied food and water be stopped or not used? 8

Frequently Asked Questions 9

Where can I get Advance Directive forms? 9

What should I do with my forms after filling them out? 9

Do I have to fill out an Advance Directive before I get medical care? 9

Who can fill out an Advance Directive? 9

Do I need a lawyer to fill out an Advance Directive? 9

What is the difference between a Living Will and a Healthcare Power of Attorney? 9

If I have a Healthcare Power of Attorney, do I need a Living Will, too? 9

Can I change my Living Will or Healthcare Power of Attorney? 9

How does an Advance Directive differ from a DNR order? 10

Do the people giving me medical care have to follow my wishes? 10

By filling out an Advance Directive, am I participating in euthanasia or assisted suicide? 10

Resources 11

You Have the Right

Stating Your Wishes Regarding Medical Treatment

You Have a Choice

Many people worry about the medical care they might receive if they become too ill to make their wishes known. Some people may not want to spend months or years on life support, while others may want every step taken to lengthen their lives. Advance Directives provide ways to share your medical care wishes while you are still able to make your own choices. Every healthcare facility must explain your right to state your wishes about medical care and ask you if you have already put your wishes in writing. Under Ohio law, the three following types of Advance Directives are accepted: Healthcare Power of Attorney, Living Will and the Declaration for Mental Health Treatment.

Summa Health recognizes a patient's right to accept or refuse medical and surgical treatment. It also recognizes a patient's right to make Advance Directives, which are directions given by a person describing the kind of healthcare they would like to receive if they lost the ability to make decisions independently.

How do Advance Directives affect my care at Summa Health?

Completing Advance Directives is completely voluntary. Summa Health will provide the same high-quality care whether you have an Advance Directive or not.

Summa Health is required by state and federal law to:

- Give written information to all patients about their rights under state law to make decisions about medical care. This includes the right to accept or refuse medical and surgical treatment and the right to make Advance Directives.
- Note in the patient's medical record whether or not the patient has made Advance Directives and include a copy of the Advance Directives as part of the medical record.
- Provide education for staff and the community about Advance Directives.

This brochure explains how Advance Directives can help you exercise your rights, under Ohio law, to accept or refuse medical care, as well as state your wishes about the care you would want if you could not choose for yourself. Although this brochure will help you understand your rights under the law, it does not contain legal advice. For legal advice, you may want to speak with your lawyer. If you would like more information regarding Advance Directives, please ask your doctor.

What are my rights in choosing my medical care?

You have the right to choose your own medical care. If you do not want a certain type of care, you have the right to tell your doctor you do not want it.

What if I am too sick to decide and cannot make my wishes known?

Most people are able to tell their doctor their choice for medical care. However, some people become too sick to tell their doctors what type of care they want. Under Ohio law, you have the right to fill out a form while you are able to speak for yourself. This form tells your doctor what you want done if you cannot make your wishes known.

What kinds of forms are there to complete?

Under Ohio law, there are three different forms, or Advance Directives:

- Living Will
- Healthcare Power of Attorney
- Declaration for Mental Health Treatment.

Advance Directives may only be completed while you are able to speak for yourself. The Advance Directives tell your doctor and others your wishes about your medical care under particular circumstances.

Living Will

What is a Living Will?

A Living Will is a document that allows you to establish, in advance, the type of medical care you would want to receive if you were to become permanently unconscious, or if you were to become terminally ill and unable to tell your physician or family what kind of life-sustaining treatments you want to receive. In addition, a Living Will allows you to specify your wishes regarding anatomical gifts (organ and tissue donation).

A Living Will is used only in situations where you are unable to tell your physician what kind of healthcare services you want to receive. Before your Living Will goes into effect, you must be either:

1. Terminally ill (see definition in the Living Will Declaration Form) and unable to tell your physician your wishes regarding healthcare services;

   OR

2. Permanently unconscious. To be considered permanently unconscious, two physicians (one of whom must be a medical specialist in an appropriate field) must decide you have no reasonable possibility of regaining consciousness.

Anatomical Gifts

Ohio law requires that Living Wills created after December 15, 2004, include a person's preferences about Anatomical Gifts (organ and tissue donations). The Living Will form has the required section and also provides instructions for registering your wishes with the Bureau of Motor Vehicles. Living Wills completed before December 16, 2004, that do not include the Anatomical Gifts (organ and tissue donation) section are still valid and will be honored. If you previously gave consent for your organs, tissue and/or eyes, if usable, to be removed upon your death, the revised Living Will form allows you to be specific regarding the type(s) of organ/tissue you wish to donate and for what purposes.

In addition to registering your intent to become a donor, you should discuss your wishes with your family. For specifics on registering to become an organ, tissue and/or eye donor and other donor facts, please visit **donatelifeohio.org** or **lifebanc.org**, or call LifeBanc at **216.752.5433** or **800.558.5433**.

Healthcare Power of Attorney

A Healthcare Power of Attorney form allows you to choose a trusted person to be your surrogate and participate in medical decisions only if you do not have the capacity to speak for yourself. They can give permission to carry out your wishes only for your medical care. The person helps with decisions for you based on what you would want if you cannot decide for yourself, whether for a short or long while.

Whom should I choose to be my Healthcare Power of Attorney?

You can choose any adult relative or friend you trust to participate in medical decisions on your behalf when you cannot decide for yourself. Be sure you talk with the person about your wishes. The person you choose must follow your wishes. You should also inform your doctor of your wishes.

When does my Healthcare Power of Attorney take effect?

The form takes effect only when you cannot choose your care for yourself and ends when you can make your own choices. Unlike a Living Will, it is not limited to situations in which you are terminally ill or permanently unconscious. The Healthcare Power of Attorney can only stop life support if you are permanently unconscious or terminally ill.

If I do not have a Healthcare Power of Attorney, who participates in my medical care if I cannot?

Ohio law allows your next of kin to participate in your medical care if you cannot act for yourself. In order of priority, your next of kin are:

1. Your spouse
2. Majority of your adult children
3. Your parents
4. Majority of your adult siblings
5. Nearest adult related to you by blood or adoption

Anyone 18 years or older who is of sound mind and can make their own decisions can fill out an Advance Directive.

Declaration for Mental Health Treatment

The Declaration for Mental Health Treatment form allows you to state your preferences regarding your mental health treatment and to name a person to make mental health care decisions for you when you cannot make these decisions for yourself. Those who would benefit from having such a document include people who have been diagnosed with mental illness and people who find themselves or may find themselves in circumstances that would warrant a mental health declaration, including those of advanced age or those who have developed an illness that likely will include a mental component as it progresses.

Before you complete a Declaration for Mental Health Treatment, it may be helpful to contact your lawyer and discuss your options available. Your lawyer can help you complete the Declaration for Mental Health Treatment. It is also important that you discuss your treatment preferences with any mental health professional providing services to you. The Declaration for Mental Health Treatment supersedes a Healthcare Power of Attorney, but does not supersede a Living Will.

Do Not Resuscitate (DNR) Order

What is a DNR order?

A Do Not Resuscitate order is an order written by a physician, certified nurse practitioner, or clinical nurse specialist telling healthcare providers not to attempt to perform cardiopulmonary resuscitation (CPR) or similar procedures on a patient if their heart or breathing stops. A DNR order is typically used for persons with advanced chronic illnesses, serious conditions from which recovery is not expected, or terminal illnesses, or persons who are very frail and would not be helped by CPR. A DNR order is usually written after discussion with the patient and/or surrogate or family.

What is the difference between DNR Comfort Care and DNR Comfort Care-Arrest?

Ohio offers two types of DNR orders.

DNR Comfort Care

DNR Comfort Care states that only comfort and supportive care measures will be used before, during and after a person's heart or breathing stops. If a DNR Comfort Care order is written, no attempt will be made to perform CPR or to prolong the dying process. Comfort and supportive care measures typically used include suctioning, oxygen, repositioning, control of bleeding, providing medication for pain and other symptoms, emotional support and contacting other appropriate healthcare providers.

DNR Comfort Care-Arrest

DNR Comfort Care-Arrest states that helpful medical interventions will be used until the heart or breathing stop and then only comfort and supportive care measures will be used. No CPR or other resuscitation measures will be attempted.

Artificially Supplied Food and Water

When might artificially supplied food and water be stopped or not used?

Artificially supplied food and water means you receive food and/or water by way of tubes placed inside your body. Whether artificially supplied food and water would be stopped or not used depends on your medical condition and what you state in your Living Will, which could include the following:

- If you are expected to die and cannot make your wishes known, and your Living Will states you do not want life-support used to lengthen your life, then artificially supplied food and water can be stopped or not used;
- If you are expected to die and cannot make your wishes known, and you do not have a Living Will, then Ohio law allows your next of kin to determine when to stop using artificially-supplied food and water.
- If you are permanently unconscious, and your Living Will states you do not want artificially supplied food and water, then artificially supplied food and water can be stopped or not used, or;
- If you are permanently unconscious, and you do not have a Living Will, the Ohio law allows your next of kin to stop or not use artificially supplied food and water.

Frequently Asked Questions about Advance Directives

Where can I get Advance Directive forms?

Many of the people and places that give you medical care have Advance Directive forms. Ask the person who gave you this brochure for an Advance Directive form – a Healthcare Power of Attorney form, a Living Will form, or a Declaration for Mental Health Treatment form. The forms may be obtained at Summa Health Hospitals from any social worker, on the internet, or by visiting **summahealth.org/advancedirectives**.

What should I do with my forms after filling them out?

Do not fill out these forms and just put them away and forget about them. Be sure to tell your family or friends – the people closest to you – about what forms you have filled out and what choices you have made. Additionally:

- You should give copies to your doctor and healthcare facility to put into your medical record.
- You should bring copies with you each time you come to the hospital.
- You should put a copy of your forms with your personal papers.
- If you have chosen someone as a Healthcare Power of Attorney, you should provide that person a copy.
- You should give copies of your forms to a trusted family member or friend, your lawyer, or your clergy person.

Do I have to fill out an Advance Directive before I get medical care?

No. Filling out Advance Directives is completely voluntary.

Who can fill out an Advance Directive?

Anyone 18 years or older who is of sound mind and can make their own decisions can fill out an Advance Directive.

Do I need a lawyer to fill out an Advance Directive?

No, but you do have the right to consult with a lawyer, if you wish.

What is the difference between a Living Will and a Healthcare Power of Attorney?

Your Living Will explains, in writing, the type of life support medical care you would want if you could not make your wishes known and you are either (1) terminally ill or (2) permanently unconscious. Your Healthcare Power of Attorney lets you choose a person to communicate your wishes if you cannot communicate for yourself.

If I have a Healthcare Power of Attorney, do I need a Living Will, too?

You want both. Each addresses different parts of your medical care. A Living Will makes your wishes known directly to your doctor, but only states your wishes about the use of life-support methods. A Healthcare Power of Attorney allows the person you choose to communicate your wishes for all of your medical care when you cannot communicate for yourself. A Healthcare Power of Attorney does not overrule a Living Will.

Can I change my Living Will or Healthcare Power of Attorney?

Yes, you can change your advance directives any time. Only you can change or cancel your Living Will or Healthcare Power of Attorney. If you already have Advance Directives, make sure it follows Ohio's law. You may want to contact a lawyer for help when filling out the form. It is a good idea to review your Advance Directives from time to time to ensure you designate it still states your wishes and that the person is still available. Your wishes as stated in a Living Will always takes precedence over your Healthcare Power of Attorney.

How does an Advance Directive differ from a DNR order?
An Advance Directive tells your physician, family and other members of the healthcare team your wishes about your medical care under certain circumstances. A DNR is a treatment order from a physician, certified nurse practitioner or clinical nurse specialist.

Do the people giving me medical care have to follow my wishes?
Yes, if your wishes follow state law. However, Ohio law includes a "conscience clause". A person giving you medical care may not be able to follow your wishes because they go against their conscience or belief system. If so, the provider will help you find someone else who will follow your wishes.

By filling out Advance Directives am I participating in euthanasia or assisted suicide?
No, withdrawing medical treatment with your consent is not the same as euthanasia or assisted suicide. Your choices outlined in this brochure are in accordance with Ohio law. Ohio law prohibits euthanasia and assisted suicide.

Resources

Summa Health:

Social Work Department
330.375.3145

Patient Liaison
330.375.3925

Government Agencies:

Ohio State Legal Services Association
880.589.5888

Ohio Hospital Association Website:
ohiohospitals.org/advance-directives

For more information, visit **summahealth.org/advancedirectives**.

Reviewed and approved by
Summa's Ethics Committee, 4/23

SHS-23-63350/CS/RH/03-23