

**St. Andrew's
Lutheran
End of Life Planning
Series**

**Topic: Medical
Decisions**

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St. Andrew's
Lutheran

ST. ANDREW'S LUTHERAN



About Life & Death

Genesis 2:7

7 Then the Lord God formed man from the dust of the ground and breathed the breath of life into his nostrils, and the man became a living being.

Ecclesiastes 3:19

19 For the fates of both men and beasts are the same: As one dies, so dies the other - they all have the same breath. . . .

20 All go to one place; all come from dust, and all return to dust.

A Tough But Essential Topic

- People celebrate the beginning of life. *Birth is a miracle!*
- But how many people celebrate the *end* of life?

Luke 18:29

²⁹*“Truly I tell you,” Jesus replied, “no one who has left home or wife or brothers or parents or children for the sake of the kingdom of God ³⁰will fail to receive many times more in this age, and in the age to come, eternal life.”*

- Strengthened and comforted by our faith that there is life after this life - through *Jesus Christ* - today **let's take a look at how to prepare for the transition, and help the next Generation thrive.**



Protecting Your Medical Decision Rights

Ecclesiastes 7:11

¹¹ *Wisdom, like an inheritance, is good, and it benefits those who see the sun.*

¹² *For wisdom, like money, is a shelter, and the advantage of knowledge is that wisdom preserves the life of its owner.*

- How can you **preserve the part of your life that concerns your intentions regarding End of Life (EOL) medical decisions?** By stating them in advance! Let's see how. . .

Introduction

- Under California law, **your intent is paramount** when it comes to **carrying out your wishes regarding EOL medical decisions**. The who, when and how for such decisions is **best set out *now, right now***, so if for any reason you are unable to make such decisions in the future, due to death, incapacity or other circumstance. ***Forethought is key!***
- **You have the right:**
 1. **To give instructions about your own health care.**
 2. **To name someone else to make health care decisions for you.**
- The California Advance Health Care Directive form allows you to accomplish either or both of these goals, along with a variety of other EOL decisions.

The Advance Health Care Directive form

- You can follow along as we go, in the [Advance Health Care Directive](#) handout.
- This document was created by the California Office of the Attorney General (OAG). [It has fillable fields](#) where you can [insert all EOL medical decision information](#), and then save the completed form.
- The OAG created this form so all people in our state, including those who may not have the benefit of an attorney to prepare such a document, can [specify their intentions](#) in a form written in understandable terms.
- You can [insert more than just yes or no, and fully express your intentions for EOL](#). You can complete the form by yourself, or complete the form with the assistance of an attorney. The important thing is to make your EOL decisions legally effective *in advance*. Below is the link to this form.

Designating Your Health Care Agent

Page 2, Part 1, Section 1.1 DESIGNATION OF AGENT

- The Advance Health Care Directive allows you to designate a person to act as your **Power of Attorney for Health Care Decisions**, also known as your **Agent**.

- The term “**Agent**” means:

1. The person you entrust with the legal right to

make health care decisions for you in the future

(such as in the event you become incapable of making

your own health care decisions after a

Designating Alternate Agents

Page 2, Part 1, Section 1.1, under **OPTIONAL**

- **The person you choose to act as your Agent for health care decisions must also agree in advance to accept that responsibility.**
- **Over time, after you first designated your Agent for health care decisions and they agreed to accept that role, for a variety of reasons your original choice of Agent may no longer be available.**
- **Therefore, it is wise to also name one or more *alternate Agents* to fulfill this role, in case your first choice is not willing, able, or available to make these decisions for you.**

Protection from Undue Influence

- California law is designed to **protect you from undue influence** being exerted upon you by someone who is currently responsible for your care.
- Your **Agent should not be an operator or employee** of a community care facility or a residential care facility where you are currently receiving care; or of a home care agency currently **providing you with health care**.
- This is because **such a person**, who works for the facility or agency that provides your health care, **could have a conflict of interest**.

What Decisions Can an Agent Make?

Page 3, Part 2, Section 2.1 INSTRUCTIONS FOR HEALTH CARE ~ END-OF-LIFE DECISIONS

Medical decisions your Agent can make for you include whether or not to:

1. Consent, or refuse consent for, **any care, treatment, service, or procedure** for your physical or mental condition.
 2. Select or discharge **health care providers** and institutions.
 3. Approve or disapprove diagnostic **tests**, surgical **procedures**, and programs of **medication**.
 4. Direct the provision, withholding, or withdrawal of **nutrition, hydration and all other forms of health care, including cardiopulmonary resuscitation**.
 5. Provide, or withhold, **pain relief medications**.
- Donate, or not donate, your organs** (on page 4, Part 3).



That's a LOT of information!

Let's stop the merry-go-round for a second . . .



& just . . . *breathe!*



Full or Limited Decision-Making Rights

Page 3, Part 2, Sections 2.1 to 2.3, INSTRUCTIONS FOR HEALTH CARE ~

MAKING SPECIFIC EOL DECISIONS

- You can **grant to your Agent full power** to make *all* EOL health care decisions for you. If so, you do not have to fill out Part 2.

To make specific health care decisions by yourself:

- In Part 2, 2.1, you can specify if you want, or do not want, your **life to be prolonged**, for example, **by artificial means** like breathing via a respirator.
- In Part 2, 2.2, you can specify if you want **pain relief, even if it hastens your death**.
- In Part 2, 2.3, you can **express any other EOL health care wishes you have**.



Donation of Body Elements

Romans 12:6

⁶ We have different gifts according to the grace given us. . . . if it is giving, let us give generously.

Page 4, Part 3

- Part 3 of the Advance Health Care Directive is optional - complete it if it is **your intention to donate your organs** after your death.
- This very important decision needs to be specified in advance, since time is of the essence after you have passed, in the gathering such elements of your body as you wish to donate.



Designating Your EOL Physician

Page 4, Part 4

- Part 4 of the Advance Health Care Directive form lets you **designate a specific physician for EOL care (your *EOL* Physician).**
- The medical practitioner you specify **does not have to be your usual Primary Care Physician.**
- The doctor you choose as **your EOL Physician needs to agree ahead of time** to serve in this role.
- If your EOL Physician does not have affiliation rights at your usual hospital, that **affiliation should be arranged with your hospital ahead of time.**

Making the Directive Legally Effective

Page 5, Part 5

- **To be legally effective** the Advance Health Care Directive must be:
 1. **Witnessed** - Signed by two qualified witnesses, *OR*
 2. **Notarized** - Acknowledged before a notary public.
 - Witnesses may not be not employees of your community care facility, health care facility, or home care agency.
 - At least one of your witnesses must declare under Section 5.4 that they do not benefit under your Will.
- After the form has been witnessed, or notarized, **give a copy to you:**
 - **Family**
 - **Current Primary Care Physician**
 - **Hospital**
 - **Care facility** where you live, *OR*
 - **Home care agency** if you are living in your home.



Special Witness Requirement

Page 6, Part 6

- If you are not living in a care facility, Part 6 does not apply to you, and you need not fill it out.
- If you are a patient in a skilled nursing facility, Part 6 applies to you.
- Your patient advocate will serve as a witness to your Advance Health Care Directive.
- The patient advocate is there to ensure that you know what your rights are, and that your EOL intentions as stated in the form are truly yours.

Care as You Age

- As you age, at some point you may need **care resources to help you as you age.**
- **Options include:**
 - **In-home care.**
 - **Moving in with family.**
 - **Residential/Skilled nursing facilities.**
 - **Assisted living facilities.**
 - **Palliative care or hospice care.**

Palliative Care

- **Palliative care** is specialty care that **focuses on symptom management** for patients with a serious or life-threatening illness, **without regard for life expectancy**.
- The emphasis during palliative care is on symptom management, along with **pain relief**.
- Expected **EOL** is **not expected to be within 6 months**.
- During palliative care, **you may continue to receive curative treatment**.
- Because curative care is still part of your treatment, **your Primary Care Physician is still directing your care**.

Hospice Care

- Hospice Care is specialty care that **focuses on comfort care**, quality of life, and symptom management for patients with a terminal illness, with **life expectancy less than 6 months**.
- In hospice care, **curative treatment ceases**.
- At this time, your **EOL Physician**, if a different doctor than your Primary Care Physician, **takes over directing your care**.
- A **multi-disciplinary team provides holistic care**.
- The hospice care team can include **EOL Physicians, Pastors, Stephen Ministers, Hospice Nurses, Social Workers, Case Managers, Spiritual Counselors, Comfort Care Professionals, and Bereavement Counselors**.

That was a LOT of information!
Now, to *celebrate life!* ~ Let's . . . Just . . .



Toward Peace in Jesus Christ

Providing in advance for **essential EOL medical decisions** to be made **in harmony with your true intentions** can help make EOL a more peaceful experience.

Mark 4:39

³⁹ And He got up and rebuked the wind and said to the sea,

“Hush, be still.”

And the wind died down, and it became perfectly calm.



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Thank You!

Questions?

Please feel free to ask any questions you like.

All questions are good



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