

ADVANCE DIRECTIVE FOR HEALTH CARE

CHAPTER ONE:

This chapter focuses on planning questions relating to use by the medical profession of life sustaining equipment and other heroic measures to prolong life.

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A. Discussion of the problem. The capabilities of modern medical science permit us to keep persons alive through heroic measure in ways not possible before. Along with this a panorama of moral, ethical and legal questions have arisen regarding the rights and duties of the patient and the care providers. Often caught in the middle are the family members of the patient - being torn between the feeling that additional care is hopeless and the desire to do all they can for their loved one. In this setting, a very practical question comes to the fore: Should life sustaining equipment be removed? If the patient were able to communicate, what would be his or her desire?

B. Example language. To help address this problem, lawmakers have developed a document generally referred to as an "Advance Directive for Health Care". An example of an Advance Directive follows. It merely states one's views on the subject as they pertain to his or her life.

Advance Directive for Health Care

If I am incapable of making an informed decision regarding my health care, I direct my health care providers to follow my instructions as set forth below.

1. If my death from a terminal condition is imminent and even if life-sustaining procedures are used there is no reasonable expectation of my recovery, I direct that my life not be extended by life-sustaining procedures, including the administration of nutrition and hydration artificially.
2. If I am in a persistent vegetative state, that is, if I am not conscious and am not aware of my environment or able to interact with others, and there is no reasonable expectation of my recovery, I direct that my life not be extended by life-sustaining procedures, including the administration of nutrition and hydration artificially.
3. If I have an end-stage condition caused by injury, disease, or illness, as a result of which I have suffered severe and permanent deterioration indicated by incapacity and physical dependency and for which, to a reasonable degree of medical probability, treatment of the irreversible condition would be medically ineffective, I direct that my life not be extended by life-sustaining procedures, including the administration of nutrition and hydration artificially.

C. Will this happen to me? Some years ago a friend of mine was hospitalized with advanced stages of "Lou Gehrig's" disease. One's muscles slowly deteriorate with this disease. For months my friend lay in his hospital bed unable to move little more than a toe and able to breathe only with a respirator. More than once he almost suffocated, but buzzers would go off, more oxygen would

be introduced, and he would go on breathing again. His faith and his wife's faith in the Lord Jesus Christ was admirable. In his weak and disabled state he would move his lips and express his confidence in God's control over and concern for his situation. His spirit was buoyant; his mind alert. He and his wife "talked" with their eyes.

After many months in the hospital there came a point when he wanted "to go to his eastern shore home". He wanted to be where he could watch the ducks and sunsets over the water he had come to love. His wife wanted this too and made every arrangement to care for him. But his physician refused to cooperate, and the hospital would not release him. Their concern was that he could receive better medical care in the hospital.

I had become involved as an attorney for my friend and his wife. I met with the medical and legal staff of the hospital, seeking his release. They refused, stating they did not know the patient's desires and that he was incompetent to communicate them. A psychologist for the hospital examined him; initially he opined the patient was competent; then he reversed his opinion based on a second examination. I again demanded the patient's release, citing legal precedents. The hospital again refused. Finally, as legal proceedings were about to be filed in the courts and the patient forcibly removed without the hospital's or doctor's consent, the hospital relented.

Had there been an Advance Directive, I believe the hospital and doctor would have cooperated from the beginning.

D. Planning Exercise 1

1. List names of relatives and acquaintances who have been kept alive for extended periods by life sustaining equipment.

Husband's List

Wife's List

2. In any of those instances, if you had had the authority, and had been the child or spouse, would you have directed the removal of the life sustaining equipment?

Husband's Reply

_____ yes _____ no

Why or why not? _____

Wife's Reply

_____ yes _____ no

Why or why not? _____

3. If you were not able to direct the removal of life sustaining procedures, is there anyone you would authorize to make those decisions for you? If so, who:

Husband's List

- 1. _____
- 2. _____
- 3. _____

Wife's List

- 1. _____
- 2. _____
- 3. _____

4. Under what circumstances, if any, would you want to be removed from life sustaining equipment?

Husband: _____

Wife: _____

5. Read the sample language at Paragraph B above again. Indicate below whether you would like to execute an Advance Directive.

Husband: _____ yes _____ no

Wife: _____ yes _____ no