



DOCUMENTS YOU NEED TO PROTECT YOUR RIGHTS AND YOUR SURVIVORS' RIGHTS

Not just seniors need these documents, many times young people with serious illness or debilitating accidents waive their rights and wishes by not preparing legal documents and directives in advance.

MEDICAL AND HEALTH CARE DOCUMENTS

ADVANCED DIRECTIVE

An advance medical directive is a document stating what medical care you want if you are unable to speak for yourself. Laws vary from state to state, so you should prepare these documents under the guidance of a local attorney. There are two main kinds of advance directives: a *living will* and a *health care proxy (or durable health care power of attorney)*. The health care proxy will focus solely on MEDICAL needs.

- A LIVING WILL - This is a legal document in which you spell out the kind of medical and health care and life-sustaining treatments you want or don't want when you can no longer care for yourself. For example, do you want life sustaining equipment such as a feeding tube or ventilator, or should they do everything possible to save you, including tube feeding you as long as possible, no matter the cost? Under what circumstances would you want chemotherapy, blood transfusions, exploratory surgery, amputation, etc. A Living Will would make your needs known.

NOTE: You do not name another person to make medical decisions for you in a living will. That is covered by a health care proxy or durable health care power of attorney.

- A HEALTH CARE PROXY (DURABLE HEALTH CARE POWER OF ATTORNEY) - This legal document appoints someone you chose (besides the doctor and/or hospital) to be your advocate and make decisions about your health care should you become incapacitated. It is a good idea to have one of these even

if you don't expect to need it, because if you are involved in an accident and aren't in a position to make decisions, you want a person you choose making decisions for you. Don't choose someone kind and gentle; choose someone smart and able to speak strongly to authorities.

You can have both — a health care proxy naming a person to make the decisions and a living will to help guide that person in making the decisions. It is also important to discuss the feelings, beliefs, and reasoning behind your preferences while you are in a position to do so, as what you say may be more morally and emotionally persuasive than what you provide in writing.

- A DO NOT RESUSCITATE ORDER (DNR) - Another type of advance directive is to request not to have cardiopulmonary resuscitation (CPR) if your heart stops or if you stop breathing. If you (or your health care proxy) tell your doctor you do not wish to be resuscitated, your doctor will put a DNR order in your medical chart.

LEGAL AND FINANCIAL DOCUMENTS

LAST WILL AND TESTAMENT - This legally binding document outlines how you want to distribute your possessions, wealth and valuables and which survivors you wish to have what.

A DURABLE FINANCIAL POWER OF ATTORNEY - This document appoints someone of your choice to make financial decisions on your behalf until your death should you become unable to do so.

You may also consider a *living trust*. This document can designate a trustee with the authority to hold, manage, and distribute property for you while you are alive and to distribute the remainder when you die.

LEGACY DOCUMENTS AND YOUR PERSONAL WISHES

AN ETHICAL WILL - This is also called a legacy letter or life letter and has far more personal significance to your loved ones than your material assets. This non-financial leave-behind is not legally binding and can be a written letter, videotape or audiotape. It can convey expressions of love, blessings, and regret; treasured

personal and family stories and life lessons. It can contain genealogical records, a family history, favorite family recipes.... the possibilities are endless.

OTHER INFORMATION

- Document your medical history and the medical histories of all the family members that you can document. This information may be as important three generations down the line as it is now.
- List names, addresses, phone numbers, birth dates, and social security numbers of everyone named in your will and other documents, and everyone important in your life, for your executors and guardians of minor children.
- Document details about your principal income and retirement savings accounts.
- List all other financial assets; real estate, vehicles, jewelry, furniture. Provide details of whom and how much you have debts. Include mortgages, loans, and other debts.
- Prepare a master list of all your accounts; savings, checking, credit card, stocks, bonds, other investments, insurance, frequent flier accounts, etc. List each institution, type of account (checking? savings? money market?), owner or policyholder (you? you and spouse?), account number, contact information for institution. Prepare list of safe-deposit boxes, with an inventory of the contents.
- Disclose the location of all vital and legal documents; birth certificate, wills, prenuptial agreements, marriage certificates, divorce decrees, military records, immigration documents, property deeds, recent tax returns, insurance policies such as life, health, homeowners, car, and medical and legal directives.
- Leave a list of computer access codes and passwords.

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