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ADVANCE DIRECTIVES PATIENT INFORMATION FORM

ADC ENDOSCOPY SPECIALISTS (ADCES) Advance Directive Policy

All patients have the right to participate in their own health care decisions including the execution of Advance Directives (i.e., Out-of Hospital Do-Not-Resuscitate Order and Directive to physicians and family or surrogates) and Medical Powers of Attorney authorizing others to make decisions on their behalf based on the patient's expressed wishes when he/she is unable to make decisions or is unable to communicate decisions. **ADCES** respects and upholds these rights; however, because the scope of care in this facility is limited to elective outpatient surgical procedures it is the policy of **ADCES** that regardless of the contents of a patients advance directive or instructions from his/her health care surrogate or attorney-in-fact, that if any adverse event or life-threatening situation arises during the patients treatment at our facility, in accordance with federal and state law, the personnel at the facility **WILL** initiate resuscitative or other stabilizing measures and previously signed advance directives **WILL NOT** be honored . Concurrently, the emergency medical system (EMS) will be activated (in accordance with the facilities transfer policy) for emergency patient transport to a hospital facility for further treatment and evaluation. A copy of the patient's medical record will be sent with the patient to the hospital. At the acute care hospital, further treatment or withdrawal of treatment measures already begun will be conducted in accordance with the patient's wishes, per advance directive or power of attorney/health care surrogate. In accordance with the Patient Self Determination Act (PSDA), the patient's right and need to be an active participant in the decision-making process regarding their care is recognized and respected.

Informed Consent

The procedures performed at ADCES are of minimal risk and appropriate for an ambulatory care setting. Of course, no surgery is without risk. Patients will discuss the specifics of their procedure with their physician who can answer questions as to its risks. In the event a patient should suffer a cardiac arrest, respiratory arrest or other life-threatening situation, the signed consent implies consent for resuscitation and transfer to a higher level of care.

TEXAS NOTICE TO PATIENTS

Required by the Patient Self-Determination Act and Texas Advance Directives Act

This handout informs you what rights Texas law gives to you to make medical care decisions. After reading this, you may still have questions. If so, you should talk about them with your physician(s) and personal attorney for validation of the type of advance directive that is most appropriate for you. Our facility cannot offer legal advice regarding your choice of an advance directive.

1. Who will talk to me about my medical care options?

Your physician should talk to you about medical care options.

2. Who decides what medical care I will get?

Your doctor should discuss your medical condition and medically reasonable care and treatment options available to you.

3. What if I am not able to make my own decisions?

If you are unable to make decisions about your medical care, someone must make them for you. An advance directive is the best way to tell people what you want done. You can also appoint another person to make decisions about your medical care for you if you can no longer decide for yourself.

4. What is an advance directive?

An advance directive is a written document that you can sign before you are unable to make your own decisions. You can use advance directive(s) to tell people ahead of time what medical care you want. You can also name the person that you want to make medical decisions for you if you cannot make them for yourself. Texas law has four kinds of advance directives described below:

- **Medical Power of Attorney**

This directive allows you to appoint another person as your agent for making health care decisions if you become unable to make them for yourself. You do not have to have a terminal or irreversible condition for a medical power of attorney to be used.

- **Out-of-Hospital Do-Not-Resuscitate Order**

This directive allows competent adults to refuse certain life-sustaining treatments in non-hospital settings where health care professionals are called to assist. You should carry a photocopy of your written form or wear a designated ID bracelet. This directive cannot be executed for minors unless a physician states that the minor has a terminal or irreversible condition.

- **Directive to physicians and family or surrogates**

This directive allows you to specify for the provision, withdrawal or withholding of medical care in the event of a terminal or irreversible condition. Your condition must be certified by one physician.

- **Declaration of mental health treatment**

This directive allows a court to determine when you become incapacitated and when that declaration becomes effective. You may opt not to consent to electro-convulsive therapy or to the use of psychoactive drugs. The declaration expires in three years unless you are incapacitated at that time.

You can have one, two, three or all four advance directives.

5. Should I have an advance directive?

Whether to have an advance directive is entirely your decision. One reason many people want an advance directive is to avoid a dispute about their care in the event they are unable to make their wishes known. Signing an advance directive, or – at the very least – talking about your medical care wishes with your loved ones, your physicians, and others, makes good sense before a medical crisis occurs.

6. If I sign an advance directive now, can I change my mind later?

You can revoke an advance directive by telling your health care provider or by writing new instructions. You can sign a new advance directive at any time you want. In fact, you should go over your advance directive at least once each year to be sure that it still correctly reflects your wishes.

7. Can I be sure that my instructions will be followed?

If properly signed, your Texas Advance Directive for Health Care is legally binding on your health care providers. If they cannot follow your directions, they are required to arrange to transfer your care to others who will.

8. What if I do not have an advance directive?

Without an advance directive, a legal guardian, if appointed by the court, will make medical decisions for you. Without an advance directive or court-appointed legal guardian, Texas law is not clear about who will decide for you. Usually, your family, doctors and hospital can decide about routine medical care. However, if you have not given express instructions, your family is permitted to request withholding life-sustaining treatment and food and water only in very limited situations.

9. What if I have other questions?

If you have other questions, you should discuss them with your doctors and other caregivers and/or your personal attorney. For more information about advance directives contact the Texas Department of State Health Services: 1-888-973-0022, www.dshs.state.tx.us

Our facility can provide you with an official state advance directive upon request. Additional resources available to help you create an advance directive are listed below:

<https://www.theuswillregistry.org/living-will-forms>

This webpage, hosted by the U.S. Living Will Registry, provides a state-by-state list, with links to state specific websites that provide free advance directive forms.

https://www.americanbar.org/groups/law_aging/resources/health_care_decision_making/consumer_s_toolkit_for_health_care_advance_planning/

This webpage, provided by the American Bar Association, provides a great tool kit which contains a variety of self-help worksheets, suggestions, and resources. There are 10 tools in all, each clearly labeled and user-friendly. The tool kit does not create a formal advance directive for you. Instead, it helps you do the much harder job of discovering, clarifying, and communicating what is important to you in the face of serious illness.

hhs.texas.gov/regulations/forms/advance-directives

This webpage, provided by the Texas Department of Health and Human Services, provides information regarding advance directives as well as blank advance directive forms for personal use.