

# Guide to Advance Directives

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A dark blue diagonal graphic that starts from the bottom left corner and extends towards the top right corner, covering the lower half of the page.

# General Power of Attorney



A ***power of attorney*** is the most commonly used document allowing financial authority to another person. A power of attorney gives someone else, called an agent, the right to make financial decisions about the matters you state in the document (Williamson, 2019).

***Specific power of attorney:*** when you limit the power to certain decisions (Williamson, 2019).

***General power of attorney:*** when you do not limit the power you give to your agent (Williamson, 2019).

**Strength:** Powers of attorney can be useful for students, military members, or others who expect to be out of the area or even out of the country, and for parents away from their children temporarily (Williamson, 2019).

**Limitation:** The Power of Attorney cannot transfer the responsibility to another Agent at any time. Also, the Power of Attorney cannot distribute inheritances or transfer assets after your death (Williamson, 2019).

**How it Can Be Used:** When someone is ill, in the hospital, and needs someone to help them manage their finances, such as bank accounts while recovering or until they pass away.

# Medical Power of Attorney

A **medical power of attorney** is a legal document that lets you give someone legal authority to make important decisions about your medical care (Modi, 2022).

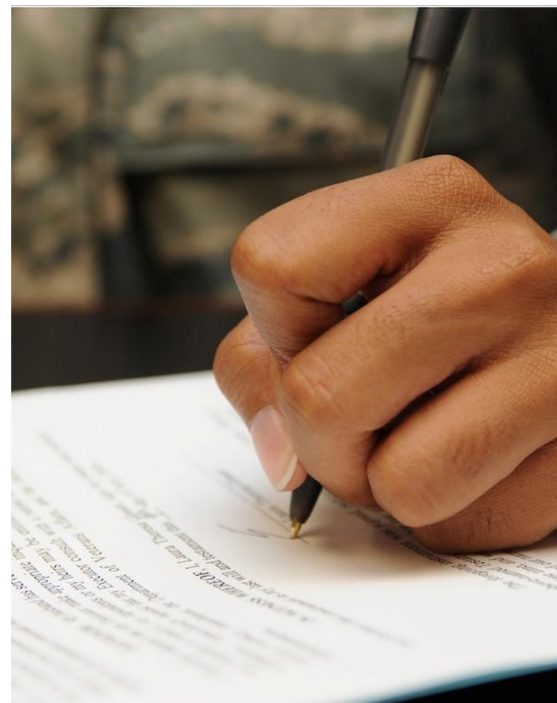
A **medical power of attorney** helps to make decisions about treatment options, medication, surgery, end-of-life care, and more. The person you name in your POA to make these decisions is called your healthcare agent or proxy (Modi, 2022).

When creating a medical POA, most people choose to make it durable. Having a durable medical POA means your agent's authority to act on your behalf continues if you're incapacitated (Modi, 2022).

Strength: Your medical power of attorney allows you to fully customize which decisions you would like your agent or representative to make for you (Modi, 2022).

Limitation: Unless specified, your agent cannot agree to hospitalization for a mental illness, electroconvulsive therapy, abortion or refusing care to keep you comfortable (Modi, 2022).

How it Can Be Used: Your family member has been diagnosed with Alzheimer's Disease. After diagnosis, you may want to create a medical power of attorney while their still feeling well and can communicate their medical and end-of-life wishes (Modi, 2022).



# Living Will

A living will is a legal document that gives doctors directions on how a person may want to be treated if they cannot make their own decisions about emergency treatment. In a living will, an individual can say which common medical treatments or care they would want, which ones they would want to avoid, and under which conditions each of the choices applies (DHS, 2022).

Through a living will, an individual can share their preferences about the use of emergency treatments to keep them alive like CPR, ventilators, pacemakers, and artificial nutrition and hydration (DHS, 2022).

Strength: Living Wills provide clarity and instructions about your future wishes regarding your healthcare. It reduces the burden of decision-making for caretakers and appoints a medical power of attorney (DHS, 2022).

Limitation: Living Wills only cover a limited number of situations and it can't anticipate all the medical circumstances that a person can face in the future (DHS, 2022).

How it Can Be Used: It can be used by adults of all ages so that a plan is in place if a person becomes injured or unexpectedly ill. A professional motocross racer might have a living will in the event that they got injured at a race and needed CPR (DHS, 2022).



# CPR Directive

A CPR directive allows an individual to refuse in advance any attempt to resuscitate them by chest compressions, medications, defibrillation, or intubation if their heart or breathing malfunctions or stops (PeaceHealth, 2023).

CPR directives are almost always used by people who are seriously or terminally ill or elderly. The trauma involved in CPR is likely to do more harm than good, but emergency personnel are required to perform CPR unless a directive tells them not to (PeaceHealth, 2023).

**Strength:** It grants the wishes of an elderly person to pass if they need to be resuscitated without having a doctor nearby (PeaceHealth, 2023).

**Limitation:** It is required you keep a copy at all times, as Emergency Medical Technician (EMT) or other emergency personnel may not be adequately informed of an individual's intentions (PeaceHealth, 2023).

**How it Can Be Used:** A terminally ill man is at the end of his life due to cancer and has a CPR directive to refuse CPR as he does not want to incur the trauma due to CPR and wishes to not be resuscitated due to his terminal condition (PeaceHealth, 2023).



# State Specific Forms

[Oregon Revised Statute 127.505-127.635](#) requires the Oregon Health Authority-Public Health Division to convene an Advance Directive Adoption Committee to:

1. Adopt the form of an Advance Directive to be used in this state
2. Review the form every four years to adopt changes the committee determines necessary
3. Submit the form to Legislature for ratification during an odd numbered year

(OHA, 2023).

This form can be used to:

Express your preferences for health care (OHA, 2023).

To choose a person to make health care decisions for you if you become too sick to speak for yourself (OHA, 2023).

To express your values and beliefs with respect to health care decisions and your preferences for health care. If you have completed an advance directive in the past, this new advance directive will replace any older directive (OHA, 2023).

You must sign the form for it to be effective (OHA, 2023).

You may revoke your advance directive at any time and in any manner as long as you are capable of making medical decisions (OHA, 2023).



# A Comparison

## General Power of Attorney:

- Gives decision making to another person on your behalf.
- Allows another person to make financial decisions for you such as paying bills, managing bank accounts, etc.
- You can get a specific power of attorney or a general power of attorney. A specific power of attorney will be limited in the decisions your agent can make for you.
- Appropriate for all ages and varying situations. Students, military members, or others who expect to be out of the area or even out of the country, and for parents away from their children temporarily.

## Medical Power of Attorney:

- Gives decision making to another person on your behalf.
- Allows another person to make decisions about your medical care such as treatment options, medication, surgery, end-of-life care, and more.
- You can fully customize which decisions you would like your agent or representative to make for you.
- Good for those with a new diagnosis of a chronic or terminal illness where they may eventually not be able to make decisions for themselves any longer.

# Additional Resources:

- The Advance Directive Advisory Committee in Oregon provides updated information on Advance Directive Forms for Oregon: <https://www.oregon.gov/oha/PH/ABOUT/Pages/AdvanceDirectiveAdoptionCommittee.aspx>
- A complete breakdown of Advance Directives: <https://www.merckmanuals.com/home/fundamentals/legal-and-ethical-issues/advance-directives?query=CPR%20directive>
- Top 10 facts to know about Living Wills: <https://www.legalnature.com/guides/10-facts-everyone-should-know-about-living-wills>
- Oregon's Advance Directive for Healthcare form: <https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/1e3905.pdf>



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