
INTRODUCTION TO YOUR LOUISIANA ADVANCE DIRECTIVE

This packet contains a legal document that protects your right to refuse medical treatment you do not want, or to request treatment you do want, in the event you lose the ability to make decisions yourself.

The **Louisiana Declaration** is your state's living will. It lets you state your wishes about medical care in the event that you become terminally and irreversibly ill and can no longer make your own medical decisions. The Declaration becomes effective if the continued use of life-sustaining treatment would only prolong the dying process. (Your doctor and one other physician must diagnose you and certify in writing that you have a terminal and irreversible condition.)

In addition, this Declaration lets you designate another person to decide whether life-sustaining treatment should be withheld or withdrawn in the event you become terminally and irreversibly ill and can no longer make your own medical decisions. Partnership for Caring recommends that you complete this designation to best ensure that you receive the medical care you want when you can no longer speak for yourself.

Note: This document will be legally binding only if the person completing it is a competent adult (at least 18 years old).

COMPLETING YOUR LOUISIANA DECLARATION

How do I make my Louisiana Declaration legal?

The law requires that you sign your Declaration in the presence of two competent adult witnesses, who must also sign the document to show that they personally know you and believe you to be of sound mind. These witnesses **cannot** be:

- related to you by blood or marriage, or
- entitled to any portion of your estate.

Note: You do not need to notarize your Louisiana Declaration.

Whom should I designate as my agent?

Your agent is the person you designate to make decisions about your medical care if you become terminally ill and unable to make those decisions yourself. Your agent may be a family member or a close friend whom you trust to make serious decisions. The person you name as your agent should clearly understand your wishes and be willing to accept the responsibility of making medical decisions for you. (An agent may also be called a “proxy” or “attorney-in-fact.”)

Can I add personal instructions to my Declaration?

Yes. You can add personal instructions in the part of the document called “Other directions.” *This is important* because the Declaration does not apply if you have an irreversible condition that would not be considered “terminal.” If you want to expand the situations in which your Declaration would apply, you should add a statement such as, “I direct that life-sustaining procedures be withheld or withdrawn if I am permanently unconscious or minimally conscious but have irreversible brain damage and will never regain the ability to make decisions or express my wishes.”

You may also want to refuse specific treatments by a statement such as, “I especially do not want cardiopulmonary resuscitation, a respirator, artificial feeding, or antibiotics,” or to emphasize pain control by adding instructions such as, “I want to receive as much pain medication as necessary to ensure my comfort, even if it may hasten my death.”

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COMPLETING YOUR LOUISIANA DECLARATION (CONTINUED)

If you have designated an agent, it is a good idea to write a statement such as, “Any questions about how to interpret or when to apply my Declaration are to be decided by my agent.”

It is important to learn about the kinds of life-sustaining treatment you might receive. Consult your doctor or order the Partnership for Caring booklet, “Advance Directives and End-of-Life Decisions.”

What if I change my mind?

You may revoke your Louisiana Declaration at any time, regardless of your mental condition, by:

- cancelling, defacing, obliterating, burning, tearing, or otherwise destroying the document, or directing another to do so in your presence,
- signing and dating a written revocation, or
- by orally expressing your intent to revoke your Declaration.

Your revocation becomes effective once you notify your doctor, who must then make it part of your medical record.

If you filed your Declaration with the Secretary of State’s office (see below), you must file a written notice of revocation in that office. Your revocation will not be honored until the Secretary of State indicates on your Declaration the date and time that the office received notice of your revocation.

What other important facts should I know?

The Secretary of State is required to establish a Declaration registry where you may register the original, multiple originals, or a certified copy of your Declaration. Your doctor or other treating health care provider may, but is not required to, request from the registry a confirmation of the existence of your Declaration.

AFTER YOU HAVE COMPLETED YOUR DOCUMENTS

1. Your Louisiana Declaration is an important legal document. Keep the original signed document in a secure but accessible place. Do not put the original document in a safe deposit box or any other security box that would keep others from having access to it.

2. Give photocopies of the signed original to your agent, doctor(s), family, close friends, clergy and anyone else who might become involved in your health care. If you enter a nursing home or hospital, have photocopies of your document placed in your medical records.

3. Be sure to talk to your agent, doctor(s), clergy, and family and friends about your wishes concerning medical treatment. Discuss your wishes with them often, particularly if your medical condition changes.

4. If you want to make changes to your Declaration after it has been signed and witnessed, you should complete a new document.

5. Remember, you can always revoke your Louisiana Declaration.

6. Be aware that your Louisiana documents will not be effective in the event of a medical emergency. Ambulance personnel are required to provide cardiopulmonary resuscitation (CPR) unless they are given a separate order that states otherwise. These orders, commonly called “nonhospital do-not-resuscitate orders,” are designed for people whose poor health gives them little chance of benefiting from CPR. These orders must be signed by your physician and instruct ambulance personnel not to attempt CPR if your heart or breathing should stop. Currently not all states have laws authorizing nonhospital do-not-resuscitate orders. Partnership for Caring does not distribute these forms. We suggest you speak to your physician.

If you would like more information about this topic contact Partnership for Caring or consult the Partnership for Caring booklet “Cardiopulmonary Resuscitation, Do-Not-Resuscitate Orders and End-Of-Life Decisions.”

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