

Advanced Directives



Information for Consumers

What is an Advance Directive?

Per state and federal law, an Advance Health Care Directive (Advance Directive):

- Is a written document that describes your directions and preferences for treatment and care during times when you are having difficulty communicating and making decisions.
- Can inform others about what treatment you want or do not want.
- Can identify a person called an “agent” who you trust to make decisions and act on your behalf.

Should I have an Advance Directive?

There are advantages to having an Advance Directive:

- You have more control over what happens to you during periods of crisis.
- Providers and others will know what you want even if you can't express yourself well.
- Your directive can help your case manager and others who are involved in your treatment.
- The law requires providers to respect what you write in an advance directive to the fullest extent possible.

You are NOT required to have an Advance Directive to receive treatment or services. You will NOT be refused treatment or services if you do have an Advance Directive.

What's included in an Advance Directive?

Anything that might be involved in your treatment can be a part of an Advance Directive.

For example:

- Consent for, or refusal of, particular medications or inpatient admission;
- Who can visit you if you are in the hospital;
- Who you appoint to make decisions and take actions for you (your agent);

Anything else you want or don't want in your future care.

Should I have an agent?

You have the option of naming an agent:

- Who is at least 18 years old
- Who you trust and can talk to about the care you want

- Who knows you well enough to know what is important to you
- Who supports your treatment choices
- Who can inform treatment providers about your preferences and can advocate for you when a decision is needed.

By law, your agent cannot be your doctor, your case manager, or your residential provider, unless that person is also your spouse, adult child, or sibling.

Note: Alpine County Behavioral Health Services staff may NOT be designated as a client's agent.

Who should get a copy of my Advance Directive?

If you name an agent, that person must be given a copy. It is a good idea to give one to your current behavioral health provider, your health provider, your lawyer (if you have one), and trusted family members. Bring a copy if you are being admitted to a mental health or health facility. Any treatment provider who gets a copy is required to make it a part of your chart.

Will everything in my Advance Directive be followed?

Your Advance Directive will be followed whenever possible. However, there are instances in which your Advance Directive may not be followed:

- Your provider or the institution cannot implement your advance directive as a matter of conscience
- Your treatment preferences are unavailable
- Following your directive would violate state or federal law
- Your instructions would endanger you or others

Can I change or revoke my Advance Directive?

As long as you have capacity, you can change or revoke your Advance Directive at any time. Changes regarding agents need to be made in writing. All other changes can be made verbally to your provider. Be sure to notify everyone who has a copy if you revoke it or make any changes.

What if I already have a living will or durable power of attorney?

Where there is a conflict between an Advance Directive and any previous directive (such as a living will), the newer document will have legal priority. To reduce confusion, it is probably best to have one person act as your advance directive agent and durable power of attorney.

Where can I go for more information?

- Read the law on-line at www.leginfo.ca.gov
- Contact the California Medical Association at 1-800-786-4262 or www.cmanet.org
- Call your local health provider or ombudsman service.

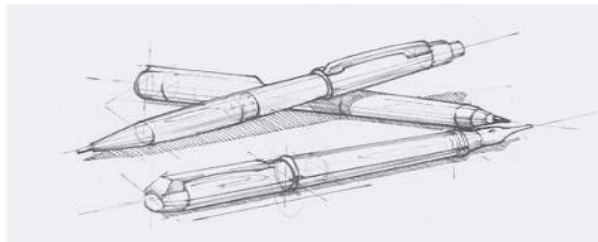
How do I create an Advance Directive?

You can get a form from your state legal or medical association. Most hospitals, doctors, and lawyers, as well as some senior citizen centers also have forms available. Be sure that you understand the form and that you follow the directions.

If you have any questions about completing an Advance Directive, please contact an attorney or health representative.

Where can I go to make a complaint about an Advance Directive?

Complaints concerning noncompliance with the Advance Directive Requirements may be filed with Department of Health Services, Licensing and Certification Division, at 1-800-236-9747, or by mail at P.O. Box 997377, MS 3000, Sacramento, CA, 95899-7377.



Alpine County

Behavioral Health Services
75 C Diamond Valley Rd.
Markleeville, CA 96120
Phone: (530) 694-1816
Fax: (530) 694-2387

367 Creekside Dr.
Bear Valley, CA 95223
Phone: (530) 694-1816
Fax: (209) 753-2471

Toll-Free 24-hour Crisis Services

1-800-318-8212
TDD: 711

Office Hours

8:00 a.m. – 5:00 p.m., Monday – Friday

Patients' Rights Advocate

(530) 694-1816