**OMEGA HEIGHTS FAMILY MEDICINE**

**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 doctors and other health caregivers.

1. Who will talk to me about my medical care options? Your doctor should talk about medical care options with you using words you can understand.

2. Who decides what medical care I will get? Your doctor should tell you what the medically reasonable care and treatment options are for your medical condition. As a competent adult, you decide which care and treatment options you will get. You have the right to accept, refuse, or stop any medical care or treatment, including life-sustaining treatment.

3. What if I am not able to make my own decisions? If you cannot make decisions about your own 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 say who you want to make decisions for you, if you can no longer decide for yourself.

4. What is an advance directive? An advance directive is a written document you sign before you are unable to make your own decisions. You can use an advance directive to tell people ahead of time what medical care you want. You can also name the person you want to make medical decisions for you if you cannot make them yourself. Texas law has four kinds of advance directives: Medical Power of Attorney Out-of-Hospital Do-Not-Resuscitate Order, Directive to physicians and family or surrogates Declaration of mental health treatment

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

5. What is a Medical Power of Attorney? This directive allows you to designate another person as your agent for making health care decisions if you become incompetent. You do not have to have a terminal or irreversible condition for a medical power of attorney to be used.

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6. What is a 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, including hospital ERs and outpatient settings. 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 the minor has a terminal or irreversible condition.

7. What is a 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.

8. What is a 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.

9. 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 if they can’t make their wishes known. Signing an advance directive, or – at the very least – talking about your medical care wishes with your loved ones, your doctors and others, makes sense before a medical crisis.

10. If I sign an advance directive now, can I change my mind? You can revoke an advance directive by telling your health care provider or by writing new instructions. You can sign a new advance directive any time you want. In fact, you should go over your advance directive at least once a year to be sure it still correctly states your wishes.

11. Can I be sure 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.

12. 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.

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

ADVANCED DIRECTIVES PATIENT INFORMATION FORM

Resources to help you to create an Advance Directive:

• 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. http://uslwr.com/formslist.shtm

• 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. <http://www.americanbar.org/groups/law_aging/resources/con>

Patient Signature/ name ------------------------/-------------------------------------Date-----------------------