Advanced Health Care Directives
The Case Of Terri Schiavo

- Feb 1990: Collapsed in full cardiac arrest
  - Suffered massive brain damage due to lack of oxygen
  - In coma - diagnosed as “in a persistent vegetative state”
- May 1998: Husband asks Court to remove feeding tube, but is opposed by Terri’s parents
- Apr 2001: Court approves removal of feeding tube, but injunction filed – two days later feeding tube reinserted
- 2001 to 2005
  - 14 Appeals and hearings in Florida courts
  - 5 Suits filed in Federal District Court
  - 4 Denials by US Supreme Court to intercede
- March 2005: Feeding tube removed, Terri dies
Advanced Directive

- You have the right to make decisions about your medical care - including the right to say “NO”
- To avoid a “Terri Schiavo” situation discuss your wishes with your family, loved ones, and friends in advance
- Put in place an Advanced Directive which consists of:
  - Living Will
  - Health Care Power of Attorney
- Care Managers, Doctors, Hospitals, Assisted Living and Skilled Care Facilities, Continuing Care Retirement Communities, etc., encourage and some may require as a condition of treatment or entry into the facility
Advanced Directive

- **Living Will**
  - Written instructions specifying your desire to receive or refuse certain medical treatments, in the event you are unable to make such decisions

- **Health Care Power of Attorney**
  - Designates a person (health agent) to make medical care decisions, if you are unable to do so
  - Purpose is to have someone who will assure adherence to your wishes, as expressed in your Living Will
  - Does not need to be a family relative
Advanced Directive

- Must be written / signed by you while you are mentally competent and able to understand your choices
- Must be notarized and witnessed
- Provide copies to:
  - Person designated as your health agent
  - Family members and loved ones
  - Doctors and other health care providers
  - Close friends
- Register with NC Secretary of State
NC Secretary of State

Website:

www.secretary.state.nc.us/ahcdr/

Download forms:
- Registration Form
- Advance Directive for a Natural Death
- Health Care Power of Attorney
Register with Secretary of State

- State makes digital copies and returns originals
- Notary stamp must be visible, so make sure it’s an “ink” stamp – not embossed (if embossed documents will be returned saying they can not be used)
- Receive wallet size registry card with a file number and password to access your documents
- Care providers can visit website to view documents, if they do not have them on file