



AGE SMART: LET'S TALK ABOUT YOUR FUTURE HEALTH

Caring for friends and family members is what most of us do on an every day basis; our children, parents, friends and neighbors are all a part of our community and support systems. We believe that if we become ill, disabled or frail our family members and friends will help us. Many cultures enforce this notion, and we rely on families and friends to see us through life, especially when it comes to important issues like health care and making medical decisions.

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Unfortunately, most New Yorkers are unaware that the law of New York State does not support our beliefs. In fact, New York law requires that you sign a paper document, called a *Health Care Proxy*, in front of two witnesses to authorize another person to represent you with your medical needs should you be mentally incapable of taking action yourself.

This is true whether the person is a spouse, adult child, sister, auntie, or best friend. Unless you follow this rule to establish your family or friends as your Health Care Agent they will not have the legal authority to make decisions on your behalf, in times when you need their assistance. The *Health Care Proxy* may not make decisions regarding your health care when you are mentally capable of making your own decisions. (*Note: Signing a separate document called a Power of Attorney is required if you want someone to be able to make decisions about your property, bank accounts, social security, assets if you become mentally incapable*). Both a Health Care Proxy and a Power of Attorney can be cancelled by creating new documents. Make certain that people have copies of the new document to prove the change.



Carmen, a 40 year old married mother of 2, had a stroke and has been in the hospital. The hospital is now telling her husband that she needs to be discharged tomorrow

and they are sending her to a nursing home. Without a health care proxy, her husband has no right to be informed as to her care in the nursing home or if she could return to her apartment with assistance.

If this should happen to you, who have you chosen to help you make decisions?

Each person over 21 years old should complete a Health Care Proxy and make copies for their family, friends and physicians. You should take time to consider who you want to be your Health Care Agent. You should not wait until an emergency occurs to think about this issue. Selecting someone to assist you is not a decision best made during a crisis.

HOW TO START THE DISCUSSION

You may want to start with a story about someone's else's experience, discuss a health care situation seen on a television program or say that FRIA's presentation made you think about this issue.

There is no right way, but the sooner the better.

HOW TO SELECT A HEALTH CARE AGENT

Consider your group of friends and family. This is not a popularity contest, select a person who may share your views on health care or who you can trust to assist you with your choices. You can also select two people to work together.

A GOOD HEALTH CARE PROXY:

1. Feels comfortable asking questions
2. Is someone whose judgment you trust
3. Can manage conflict between family members
4. Understands and honors your views on health care choices
5. Lives close by so they can visit you and travel by your side
6. Is someone you feel you can talk to about personal problems and fears
7. Above all else agrees to carry out your wishes

Typically, no one person is 'perfect' on all points. So, you will have to weigh these considerations and pick the person or persons that can give you the most peace of mind.

4 Important Reasons for having a Health Care Proxy

1. It ensures that your wishes about medical treatments, pain management and other important health concerns are honored by the doctors and health care institutions.
2. It can avoid painful emotional dilemmas and family conflicts over how an individual should face health care decisions or end of life issues.
3. It can mean you get a higher quality medical care, when your Proxy insists on seeking other medical opinions, makes important decisions knowing your medical sensitivities and allergies, gets copies of your medical records for review by other professionals and can generally oversee your care.
4. It can save you money, by avoiding unnecessary or unwanted medical treatments.

My father was having minor surgery under general anesthesia. The doctor found something odd during the surgery and my dad went into a coma. The doctor now wants to perform a major operation.

If your father does not designate you as his Health Care Agent you are not allowed to act on his behalf or view his medical records or request a second medical opinion to be certain the operation is necessary. Instead, the hospital and their doctors are entitled to make that decision.

If this should happen to you, who have you chosen to help you make decisions?



HOW TO BE A GOOD HEALTH CARE PROXY

Learn as much as possible about your friend or family member's health conditions. Here are some tips to make the conversation easier:

Choose the setting - Find a quiet, comfortable place free from distraction to hold a one-on-one discussion. A loved one usually wants to share his or her wishes in a private setting. If possible, plan for the conversation - this is not a discussion to have on the spur of the moment.

Ask permission - Asking permission to discuss the topic assures your loved one that you will respect his or her wishes and honor their privacy. Some ways of doing this could be: "I'd like to talk about how you would like to be cared for if you became seriously ill. Is that OK?"

Talk about it - Focus on your desire to help him or her maintain a full and happy life, even during difficult times.

Be a good listener - Be sure you understand what the person is saying. Actively listen and ask questions to clarify what they desire.

Prepare - Become familiar with the questions you need to ask your loved one. Some suggestions are: "If you become ill would you prefer to be at home or in a place where medical attention is more available?" "Do you feel it's important for you to have emotional, religious or spiritual support?" "What kind of care would you like at the end of life?"

Be knowledgeable- Stay informed as to where your friend or family member keeps their medical information. In order to make informed decisions you may need to see medical test results, x-rays, plans of care and bills. It is important to ask to review medical files if you have doubts about a particular course of treatment or suspect a problem. Use FRIA's *Health Care Documents Resource List* included with your package to keep track of important documents.

Don't be shy! Ask questions: As a Health Care Agent it is your right to speak on behalf of the person that has made you their proxy. Remember, you are now entitled to any medical information and decisions that they would be entitled to.



REGISTER YOUR HEALTH CARE PROXY WITH THE
US LIVING WILL REGISTRY
PO BOX 2789
Westfield, New Jersey 07091-2789.

Registration may make it easier for your doctors to locate your Proxy,
if there is a crisis.