



Express your wishes through the advance directive and health care proxy and protect your rights at the end of life.

The Oklahoma Advance Directive for Health Care



OKLAHOMA DEPARTMENT OF HUMAN SERVICES

Photocopies of your fully executed and witnessed directive should be made for your personal records, your family members and your proxy and alternate if you have chosen them. The original or a photo-copy should be furnished to your physician or other health care provider who will make it a part of your medical record.

OKDHS, as Oklahoma's State Agency on Aging, is responsible for informing older people about the options provided by the Oklahoma Advance Directive Act.

Copies of the Advance Directive form may be obtained from the Area Agencies on Aging, aging nutrition programs, health care providers including hospitals and physicians, the OKDHS Aging Services Division, the OKDHS Employees Library and OKDHS county offices, or from the OKDHS website.

**For more information about the
Advance Directive, contact:
OKDHS Aging Services Division
2401 N.W. 23rd St., Suite 40
Oklahoma City, OK 73107-2413
Phone: (405) 521-2281**



Oklahoma's Advance Directive for Health Care

Oklahoma's Advance Directive for Health Care allows all Oklahomans 18 years of age and older an opportunity to clearly spell out their desires regarding some of life's most difficult issues.

It is the best means of expressing your wishes to physicians and others as to the medical care you wish to receive during the time just prior to your death. By completing the directive, you can express your wishes regarding nutrition and hydration, life-sustaining treatment, other services or procedures and to express your desire to donate specified organs.

The Advance Directive is sometimes referred to as a living will, but it is not the same as your last will and testament. The Advance Directive is to be used only to express health care instructions and to appoint a health care proxy if you desire.

All these protections are contained in the Advance Directive Act, which also allows for other directives describing specific instructions and organ donation directives. **The purpose of the act is:**

- To recognize your right to control some aspects of your own medical care and treatment, including but not limited to the right to decline medical treatment or to direct that it be withdrawn, even if death ensues;
- To recognize that your right to control some aspects of your own medical treatment is protected by the U.S. Constitution and overrides any obligation the physician and other health care providers may have to render care or to preserve life and health; and
- To recognize that decisions concerning your medical treatment involve highly sensitive, personal issues that do not belong in court, even if you are unable to act on your own behalf, so long as a proxy decision-maker can make the necessary decision based on your known intentions, personal views or best interests. If evidence of your wishes is sufficient, those wishes

should control; if there is not sufficient evidence of your wishes, the proxy's decisions should be based on reasonable judgment about your values and what your wishes would be based upon those values.

If you have completed an Advance Directive and been diagnosed by two physicians as terminally ill, persistently unconscious or as having an end-stage condition as defined in the directive, and your attending physician does not want to comply with your wishes, that physician must act promptly to arrange for your care by another physician or health care provider.

The law protects you from a misjudgment by a physician by requiring a separate opinion by a second physician who must agree that your condition is terminal, that you are persistently unconscious or you have an end-stage condition. This second opinion must be made a part of your medical record.

Completing the Advance Directive is not a difficult process. It requires only that persons voluntarily completing the directive be 18 years

or older and of sound mind as evidenced by two witnesses.

Witnesses also must be at least 18 years old and must not be a person who will inherit from you.

It is your decision whether to complete an advance directive; it cannot be completed by family members, an agent under a durable power of attorney or a guardian.

You may be required to initial the form many times, depending upon your wishes, to fully complete the document. The document does not have to be notarized.

An advance directive, which is any writing executed in accordance with the Advance Directive Act, may be revoked at any time in writing or simply by telling your attending physician, other health care provider or a witness, regardless of your physical or mental condition. Your request to revoke the directive must be made a part of your medical record by the attending physician or other health care provider.

Definition of Terms Found in the Advance Directive Forms

Artificially Administered Hydration and Nutrition: Feeding through intravenous solutions, nasal or surgically inserted feeding tubes.

Health Care Proxy: A person you appoint to make health care decisions for you when you cannot make them for yourself.

Organ Donation: A donation at the time of death of the entire body or specific organ in accordance with the Uniform Anatomical Gift Act.

“Persistently Unconscious”: An irreversible condition, as determined by the attending physician and another physician, in which thought and awareness of self and environment are absent.

Qualified Patient: Anyone 18 years of age and older who has completed an Advance Directive and has been diagnosed to be in a terminal condition or persistently unconscious by the attending physician and another physician.

Terminal Condition: An incurable and irreversible condition that even with the administration of life-saving treatment such as ventilators, breathing machines, pacemakers, heart beat stimulators and drugs to stimulate heart and lungs will, in the opinion of the attending physician and another physician, result in death within the next six months.

End Stage Condition: A condition caused by injury, disease, or illness, which results in severe and permanent deterioration indicated by incompetency and complete physical dependency for which treatment of the irreversible condition would be medically ineffective.



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