



## When do your advance directive health care documents take effect?

Your advance directive health care documents take effect if your doctor determines that you lack the ability to make your own health care decisions. Lacking ability usually means that:

- You cannot understand the nature and consequences of the health care choices that are available to you.
- You are unable to communicate your own wishes for care, either through speaking, writing or gestures.

## What should you do with your completed advance directive forms?

After completion of your advance directive documents, you should provide a copy to each person named to act on your behalf in your Durable Power of Attorney. You should also send a copy to the health information management office of any hospital where you might be treated. You may also consider placing a copy of your advance directive on the Montana End of Life Registry, which is a secure computer database that makes these documents available nationwide to health care providers and registrants. The web site address is <https://dojmt.gov/consumer/end-of-life-registry/#how-to-file-an-advance-directive>.

## Can you choose to change your advance directives?

You can change or cancel your advance directive health care documents at any time if you are considered of sound mind to do so. Being of sound mind means that you are still able to think rationally and communicate your wishes in a clear manner. A new form should be completed, and all previous documents destroyed. Make sure that your doctor and any family members who knew about the previous advance directives are also aware that you changed them.

### Additional information is available at:

[billingsclinic.com/advancedirectives](https://billingsclinic.com/advancedirectives)  
or Billings Clinic Care Management  
at (406) 238-2877.

Forms are also available at your physician's office.



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# Advance Care Planning

For Every Stage of Life:  
From Unexpected  
Accidents to End of Life



## Advance Directives

What kind of medical care would you want if you were too ill or hurt to express your wishes?

**Advance Directives** are documents that allow you to convey your decisions about medical care ahead of a time it may be needed.

**Advance Directives** provide a way for you to communicate your wishes to family, friends, and health care professionals.

**Advance Directives** help you to be intentional about your wishes and help to avoid later confusion in case of an emergency.

**Advance Directives** can be prepared by any person 18 years of age or older.

## In the State of Montana, Advance Directives include: your **Living Will** and your **Durable Power of Attorney (DPOA) for Health Care**

### Living Will

A Living Will is a legal document that tells others how you feel about care intended to sustain life. You can choose to accept or refuse medical care. There are many issues to address, including:

- If you want to be resuscitated if your breathing or heartbeat stops
- If you would be open to the use of dialysis and/or breathing machines
- If you would like to receive tube feedings if you are unable to eat or swallow
- If you wish to donate organs or tissue

A Living Will must be signed, dated and witnessed by two people. For the Living Will to be valid, the health care provider must declare the person to be in a terminal condition or in a condition that (without life sustaining treatment) will result in death within a relatively short time.

### Durable Power of Attorney for Health Care

A DPOA is a written document that names your health care proxy. Your proxy is someone you trust to make health decisions if you are unable to do so. The health care proxy can make decisions regarding your medical treatment, including:

- Refusal of treatment
- Agreement to treatment
- Withdrawal of treatment

A DPOA for Health Care becomes active any time you are unconscious or unable to make medical decisions. It must be signed and dated.

## Five Wishes

The Five Wishes is a helpful and user-friendly advance directive health care document that combines a Living Will, DPOA for Health Care, and addresses matters of comfort and spirituality. The document is based on the following Five Wishes:

**Wish 1: The person I want to make care decisions for me when I cannot.** This section is your DPOA for Health Care and assigns your health care proxy.

**Wish 2: The kind of medical treatment I want or don't want.** This section is your Living Will.

**Wish 3: How comfortable I want to be.**

**Wish 4: How I want people to treat me.**

**Wish 5: My wish for what I want my loves ones to know.**

Wish 1 and Wish 2 are both legal documents. Completion of the Five Wishes document meets the requirements for a Living Will and Durable Power of Attorney for Health Care. It is not necessary to complete a separate Living Will or Durable Power of Attorney form.

**For more information on Five Wishes, visit:** [fivewishes.org](http://fivewishes.org)

*A health care provider may presume that a declaration executed in another state, but which complies with Montana law is a valid advanced directive.*

## POLST (Provider Orders for Life Sustaining Treatment)

The POLST document is a physician's order. The POLST is intended for anyone with an advanced life-limiting illness and is recommended in addition to an Advance Directive. It is a medical form indicating what types of life-sustaining treatments you do or do not want. The POLST must be signed by a health care provider (physician, nurse practitioner or physician assistant). The POLST can be utilized during emergent transport situations, transport between care settings in the hospital, at home, or in a long-term care facility.

