



## Advance Health Directives

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AHDs

### What is an Advance Health Directive?

An Advance Health Directive (AHD) is a medico-legal document which sets out what end of life decisions you would like to be made for you when you are no longer able to speak for yourself.

During COVID-19, hospital visitors are limited and sometimes the patient must attend the hospital unaccompanied by their loved ones and support people may not be able to be physically present.

An AHD records your wishes and gives you the opportunity to explain in your own words what quality of life means to you.

WHAT ABOUT MY EPOA?

### Isn't this covered in my EPOA?

The Enduring Power of Attorney (EPOA) gives the Attorney gives the power to make personal/health decisions. The AHD explains the decisions you want them to make.

WHAT CAN I RECORD?

### What kinds of things can you record in an AHD?

You can record any existing conditions that you have, and any medications that you are taking. Your Attorneys and family members may not know this information, or may not remember the details due to stress.

You may also want to list any religious beliefs you hold which might affect your treatment.

You can even list the names of people you want to prevent from having a say in your medical treatment.

You can be specific with your directions or you can leave general principles to be followed.

For example, you can decide in advance if you accept or reject blood transfusions, whether you want to have life support machines kept on, or switched off, or whether you want to have comfort care only.

You can also simply state in writing that you trust your Attorneys to make the right decisions based on the medical advice that they receive at the time.

HOW DO I GET AN AHD?

### What is the process to get an AHD completed?

Your lawyer will prepare your AHD for you to bring to your doctor.

Your doctor will offer advice on the meaning and consequences of treatment options.

Then your lawyer will confirm that the doctor has given you advice and will assist you in executing your AHD.

## WHEN DOES IT OPERATE?

### When does my AHD operate?

To be able to have capacity to make health care decisions you must be capable of:

- understanding the nature and effect of decisions;
- be freely and voluntarily making the decisions; and
- be communicating these decisions in some way.

Your AHD will only come into effect if you have lost that capacity, are unlikely to regain it, and one of the following applies:

- a terminal illness or condition and in the opinion of two doctors, you may pass away within one year; or
- you are permanently unconscious; or
- you have suffered a catastrophic injury and have no reasonable prospect of recovery, or life without life support.

## BENEFITS

### Why is it good to have an AHD?

To be the person to tell the doctor to withdraw treatment is very hard. There may be people who love and care for you, but have no decision-making power. There may be others who will be upset or disagree with the decision that is made.

Having an AHD in place may prevent disputes between your family members concerning the treatment you are to receive.

## CLIENT TESTIMONIAL

*Loan Chow made the process of arranging my family's Advance Health Directives (AHD) and Estate Planning extremely easy.*

*Her openness, compassion and use of easy to comprehend language (no jargon) steered us through this challenging process.*

*As a doctor I unfortunately get to see how poorly designed AHDs can have a terrible effect on a family when they are not done well.*

*I could not recommend anyone more highly to help with yours.*

*- Dr Sid O'Toole, an Estate Planning Client*

### More Questions?

For more information or to enquire about how we can assist you, please contact Loan Chow on **(07) 3160 3300** or [lchow@yhclawyers.com.au](mailto:lchow@yhclawyers.com.au).

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