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ADVANCE DIRECTIVES

You make your own health care decisions if you are able to do so and communicate them. If you become unable to make or communicate such decisions, Arizona law provides for a **surrogate** decision maker in the following priority:

1. Your husband or wife, unless you are legally separated.
2. Your adult child. If you have more than one child, a majority of those who are reasonably available.
3. Your mother or father.
4. Your domestic partner, unless someone else has financial responsibility for you.
5. Your brother or sister.
6. A close friend of yours, that is, someone who shows special concern for you and is familiar with your health care views.
7. Your doctor with the advice of an ethics committee or, if this is not possible, with the approval of another doctor.

A surrogate decision maker is limited, however, in his/her authority and cannot make decisions concerning the withdrawal of tubes that are providing you with food or fluids once instated. In addition, such a decision maker may only consent to your admission for inpatient psychiatric or mental health treatment for up to forty-eight (48) hours before having to seek appointment as Guardian with appropriate mental health authority.

Finally, and, on a practical basis, this authority is limited to medical decision making and does not permit the parents of an adult child who is disabled to continue to make decisions beyond that realm, such as with respect to the child's special education, or services received through the Division of Developmental Disabilities through the Arizona Department of Economic Security. In the long run, it is in the best interest of the child with a disability to have his/her parents appointed his/her **Guardian**.

For those who are capable, you will have ideally planned ahead for those times when you may be unable to make or communicate health care decisions and have executed a **health care directive** that names someone to make these decisions for you or that guides or controls these decisions. Under Arizona law, there are three common types of health care directives and they are the following:

1. A **Health Care Power of Attorney**, which is a written statement in which you name an adult to make health care decisions for you. That person will make health care decisions for you *only* when you cannot make or communicate such decisions yourself.
2. A **Living Will**, which is a written statement about health care you want or do not want that is to be followed if you cannot make your own health care decisions. For example, a Living Will can say whether you would want to be fed through a tube if you were unconscious and unlikely to recover.
3. A **Pre-Hospital Medical Care Directive**, which is a directive refusing cardiopulmonary resuscitation, a type of lifesaving emergency care, if you have a heart attack or can't breathe outside a hospital or in a hospital emergency room. To make one, you must complete a special orange form.

These directives, used separately or together, can help you say “yes” to treatment you want and “no” to treatment you don't want.

You can also provide an agent named in a **Health Care Power of Attorney** or **Mental Health Care Power of Attorney** with the authority to consent to mental health or psychiatric treatment on an inpatient basis if you expressly provide for such authority in the document and the provision for such authority is separately initialed by you.