

ADVANCE DIRECTIVES

Dear Sir or Madam:

Enclosed with this letter are your original (signed) Advance Directives, as marked below. For each of the documents to be effective, we recommend that you distribute them as listed below, as we have not provided this document to any third parties.

Power of Attorney

- **Original** for yourself.
- **Copy** to Agent named in the Power of Attorney.
- **Copies** to banks, financial institutions, and other third parties who will rely on the Power of Attorney to allow your Agent to transact business or handle affairs.

Designation of Health Care Surrogate

- **Original** for yourself.
- **Copy** to Surrogate named in Designation of Health Care Surrogate.
- **Copy** to Primary Care Physician(s). If you become hospitalized, **copy** to hospital staff.

Designation of Preneed Guardianship

- **Original** for yourself.
- **Copy** to Guardian named in Designation of Preneed Guardianship.
- **Copy** to Primary Care Physician(s). If you become hospitalized, **copy** to hospital staff.

Living Will (makes your end-of-life choices known if hospitalized)

- **Original** for yourself.
- **Copy** to Surrogate named in Living Will.
- **Copy** to Primary Care Physician(s). If you become hospitalized, copy to hospital staff.

If you wish to change or revoke any document in the future, please contact the Claude Pepper Elder Law Clinic at **(850)-644-7472**

Sincerely,

The Clade Pepper Elder Law Clinic



WHAT ARE ADVANCE DIRECTIVES?

- “Advance Directives” are documents more commonly known as:
 - Durable Power of Attorney,
 - Designation of Health Care Surrogate,
 - Living Will, and
 - Designation Naming Pre-Need Guardian.
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1) **Durable Power of Attorney (“DPOA”)**: This document allows a person to name another to act for them. This means that the person(s) you list may make decisions on your behalf (for example, make banking decisions or obtain medical documents).

- You are still able to make decisions yourself as long as you are not incapacitated.
- This document is valid once signed and is valid even if you are incapacitated.
- The document only ceases to exist if (a) you pass away, (b) you revoke the document (in writing), (c) you destroy all copies of the document, including the original, or (d) you amend the document.
- It is good practice to have a “Primary” Designated Person and a backup.

2) **Health Care Surrogate Designation**: This document allows a person to name another to act and make medical decisions on their behalf. This is very important, especially if you are not married or if your spouse is unable to act on your behalf.

- You are still able to make decisions yourself as long as you are not incapacitated.
- Your designated Primary Designee and Alternates likewise have the authority to carry out the terms of your Living Will.
- It is good practice to have a “Primary” Designated Person and a backup.

WHAT ARE ADVANCE DIRECTIVES?

- 3) **Living Will:** This document is made in appreciation that death is as much a part of life as is living. This is not a “DNR.”
- This document allows a person to name another to carry out your last wishes so that life-prolonging procedures are not used when death is imminent.
 - Examples of life-prolonging procedures include life-support treatment, medical devices put in to help you breathe, food and water supplied by medical device (tube feeding), cardiopulmonary resuscitation (CPR), major surgery; blood transfusions, dialysis; antibiotics; and anything else meant to keep you alive.
 - In other words, this is a right-to-die document, which is very important, especially if you are not married or if your spouse is unable to act on your behalf.
 - Your Primary and Alternate Designees listed for your Health Care Surrogate Designation likewise have the authority to carry out the terms of your Living Will.
- 4) **Pre-Need Guardian Designation:** Although the above documents will hopefully eliminate the need for a court-supervised guardianship, certain circumstances may require the appointment of a legal guardian, This document will indicate your preference for the court appointment.
- This does not create a Guardianship. It simply lists your preference should a Guardianship be necessary.
 - It is good practice to have a “Primary” Designated Person and a backup.