

Memo

From: Vold & Morris, LLC

Re: Medical Packages for Clients

When most people hear the term “living will,” they think of the names Karen Ann Quinlan, Nancy Cruzan, and Terri Schiavo. All of these women were diagnosed as being in persistent vegetative states, wherein they were virtually comatose and had no chance to recover. The families of all three women were forced to fight lengthy and highly public court battles for the right to remove them from their life support systems.

Our firm has developed an extensive medical package of documents to prevent this very situation. Our medical package includes a **Living Will** that allows you to authorize the removal of life support systems (except artificially supplied nutrition and hydration in Missouri) if you have been diagnosed by two physicians with a terminal condition. Without this document, your family has no legal right to remove you from any life support system even if all of your doctors agree you will never recover.

Most people assume that family members are allowed to make medical decisions for them in the event they cannot. However, unless you appoint someone, others—even your spouse—cannot legally make medical decisions for you if you are over age 18. To solve this problem, we include a **Medical Power of Attorney** in our package that allows you to appoint others to make your medical decisions. This document grants your appointed medical Agent the power to make all medical decisions for you in the event that you cannot, including the power to remove artificially supplied nutrition and hydration in Missouri.

In summary, these documents grant your Agent the power to remove respirators and feeding tubes, even if they are already in place. Your Agent may authorize doctors to administer pain medications to keep you comfortable. Your Agent is empowered to move you from one facility to another, consent or refuse consent to medical procedures, and hire and fire medical professionals on your behalf.

In addition, our medical package is compliant with the federal HIPAA privacy act that restricts who can see your medical information. We include a directive to your health care providers to release all of your medical information and records to the Agents named in the medical power of attorney. In addition, our document authorizes your Agent to appoint a patient advocate who can gather medical information about you and communicate with your doctors.

We provide our clients with credit card-sized laminated cards that acknowledge that the client has executed a living will and medical power of attorney. This card also lists the designated Agents to make decisions in the event of the client’s incapacity. The card also gives the name, address, telephone numbers and fax number for our firm so we can be of quick service in an emergency situation.

When people are called upon to make life or death decisions, it is an extremely tense and emotional time. It is vitally important that you protect your family from these problems to the greatest extent possible. By executing a living will and medical power of attorney, you communicate your wishes to your Agents and grant them full power to carry out those wishes on your behalf.