Avoiding Your Own Private “Death Panel”

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“Death panels” is a provocative descriptor for proposed legislation that would provide funding for consultations with physicians about “end-of-life” issues, such as the advisability of continued medical treatment. Some people believe that these legislative provisions have a more nefarious intent – that these consultations would result in a “panel” of health professionals making end-of-life care decisions for you, regardless of your desires.

Leaving aside the political undercurrent, the fear associated with death panels is instructive to a very real issue many of us will face one day. And that issue is: will YOU get to make your own end-of-life decisions? If you become incapacitated, which is frequently the case when near death, you won’t be making your own end-of-life decisions, someone else will. But if you leave written instructions, a trusted person appointed by you will make those decisions for you, aided by your instructions.

Providing written instructions for such a circumstance may seem daunting. Thankfully, there is a standard form you can use called an Advance Health Care Directive (AHCD). There are variations of this form, but they all accomplish the same thing. You can obtain a copy of this document from your attorney or by going online to www.caringinfo.org/stateaddownload.

An Advance Health Care Directive is a legal document that authorizes an “agent” appointed by you to make health care decisions for you in the event you are unable to do so. Importantly, the document also specifies, in broad terms, what your wishes are. Do you want to prolong life or not? Do you want relief from pain even if it hastens death? Do you have other instructions regarding your end-of-life care? And, in the event of your death do you wish to make any anatomical gifts?

Your agent may be any adult who understands and will honor your wishes. This person can be your spouse, a family member, your adult child, a close friend, your physician, or virtually anyone whose judgment and integrity you trust. It is best to name both a primary agent and a successor agent in case the primary agent is unable to act.

Having an Advance Health Care Directive is a critical first step, but it is only useful if your agent has a copy of the document in hand. So complete the document, make copies, and give a copy to each of your health care agents. While you are at it, have a conversation with your agents to ensure that they understand and can abide by your wishes.
Now that you have done this for yourself, print out lots of blank copies of the Advance Health Care Directive, and encourage your family members, friends, and colleagues at work to complete one for themselves. Whether you believe “death panels” are a provocative foil for opponents of health care reform or a real threat, you can avoid your own private “death panel” by appointing an agent and making your wishes known.

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