

# Advance Health Directive



## What is an Advance Health Directive?

An Advance Health Directive (AHD) is a formal set of instructions for your future health care. Sometimes called a 'living will', it's used if you become unable to make decisions due to illness or incapacity.

## Why make one?

There could come a time when you are seriously ill, unconscious or unable to communicate and critical decisions about your health care would still need to be made. An AHD allows your wishes to be known, and gives health professionals direction about the treatment you want.

## What does it cover?

You can use your AHD to express your wishes in a general way, such as stating that you would want to receive all available treatment.

You can include relevant information about yourself that health professionals should know, such as:

- special health conditions
- allergies to medications
- religious, spiritual or cultural beliefs that could affect your care.

You are able to give specific instructions about certain medical treatments. For instance, you might feel strongly about whether or not you want to receive life-sustaining measures to prolong your life. These include:

- cardio-pulmonary resuscitation, to keep your heart beating
- assisted ventilation, to keep you breathing if your lungs stop working
- artificial nutrition and hydration.

## What about my views and wishes?

You can use your AHD to outline your views about the quality of life that would be acceptable to you. For instance, you might decide to specify that you would like life-sustaining measures withheld or withdrawn in certain situations, such as if you were to:

- have a terminal illness for which there is no known cure nor chance of you recovering
- have severe and irreversible brain damage so that you are unable to communicate
- have an illness or injury so severe that there is no reasonable prospect that you will recover.

It is your legal right to refuse any medical treatment. However, any request for measures that might accelerate your death will not be followed, as euthanasia is illegal.

## What about my personal decisions?

Your AHD includes a section where you can appoint an attorney for health/personal matters.

An attorney is someone who will make decisions for you, and can be a family member, friend or someone else you trust to act in your best interests. You can choose more than one person if you like, and set special terms for their decisions, such as they must all agree or that a majority view is enough.

Your attorney will be able to give instructions on health matters that your AHD might not cover, and also make personal decisions, such as where you might live. You can set limits to the powers of your attorney – for instance, restricting them from consenting to certain procedures – or give them detailed information about your personal wishes that you would like them to follow.

## How do I make an AHD?

An AHD form is available for free from our website at <http://www.justice.qld.gov.au/justice-services/guardianship/adult-guardian>, or you can buy one from a newsagency or some bookshops and stationers.

Before completing the form, first take time to carefully reflect on the decisions you have to make. Remember, you are putting in place a plan that will determine your future health care. Consider what is important to you,

such as being able to communicate with loved ones, or receiving maximum pain relief. Would you be prepared to donate your organs or tissue? Discuss these matters with your family or close friends.

Part of the form needs to be completed by a doctor, so get them to explain your options and give you more information if you need it.

You will also need a witness, who is responsible for making sure that your signature is genuine, and that you understand the decisions you are making. Your witness must be over the age of 21 and be a Justice of the Peace, Commissioner for Declarations, lawyer or Notary Public. They cannot be:

- your attorney for personal matters
- your relative or a relative of your attorney
- a current health provider
- a current paid carer (this doesn't include a person on a carer's pension)
- a beneficiary under your will.

## When should I make an AHD?

The best time to make one is now, before anything happens. You can make an AHD if you are able to understand the nature and consequences of your health care decisions.

But it's particularly important to have an AHD if you are about to go into hospital, or if you have a medical condition that could affect your ability to make decisions or cause serious complications.

## What happens if I don't have an AHD?

Without an AHD, your statutory health attorney makes decisions for you. This is a person close to you, such as your spouse or a family member, or it could be the Adult Guardian as a last resort if there is no one else suitable or available. You do not have to appoint someone to do this as they automatically act in this role when the need arises.

Otherwise, if you have already appointed a personal attorney under an Enduring Power of Attorney, this person can make medical decisions on your behalf.

For more information, please read the factsheets on Statutory Health Attorney and Enduring Power of Attorney.

## Can I change my AHD?

Yes, you can make changes to your AHD at any time, provided you still have the decision-making capacity to do so. It's a good idea to review your directive every two years, or if your health changes significantly. You can also revoke your directive, which means you cancel your instructions. You need to make any changes in writing and have your signature witnessed.

## What do I do with my completed AHD?

You don't need to lodge your AHD with any authorities. Keep the original document in a safe place and give a copy to your doctor, a family member or friend, and your attorney for personal matters if you have one. You might also want to carry a card stating that you have made an AHD and where it can be found.

### Contact details:

**Email:** [adultguardian@justice.qld.gov.au](mailto:adultguardian@justice.qld.gov.au) **Website:** [www.justice.qld.gov.au](http://www.justice.qld.gov.au)

**Health care consent line:** 1300 753 624

### Brisbane

Level 3 Brisbane Magistrates Court, 363 George Street, Brisbane. Telephone 1300 653 187

### Townsville

8 Black Hawk Blvd, Thuringowa Central, Townsville. Telephone 4760 9688

### Ipswich

Ipswich Tower Central, 114 Brisbane Street, Ipswich. Telephone 3884 6650

