

## COMMON QUESTIONS AND ANSWERS

**Q: When should I plan ahead?**

A: Any time after you turn 18. Advance health care planning is not only for older adults. A person at any age can experience an accident or serious disease that leaves them incapacitated and unable to make their own health care decisions. In Kansas, any competent person 18 years of age or older can plan for their health care in advance.

**Q: What if I change my mind?**

A: Any of your advance planning forms can be revised or destroyed at any time, provided you are still competent to do so.

**Q: What if I need to make changes to my advance health care plans?**

A: To make changes, you should complete a new form and ensure that old documents are shredded or destroyed.

**Q: Can I appoint multiple people as my Durable Power of Attorney?**

A: Technically, the answer is yes. Though it is strongly discouraged to do so. When you have more than one individual in charge of medical decision making, differences of opinion, disagreements, and hurt feelings can easily occur – all of which slow down your medical treatment and care. Therefore, it is strongly recommended that you only appoint ONE individual as your Durable Power of Attorney. You can, however, appoint a back-up in case your primary Durable Power of Attorney is unreachable, deceased, or incapable of decision making.

**Q: What if something happens to me and I don't have advance planning in place?**

A: This is complicated, and varies state-by-state. The law in Kansas states that surrogate decision-makers are, in order: 1) the adult or emancipated minor's spouse, unless they are legally separated; 2) an adult child; 3) a parent; and 4) an adult relative by blood or marriage. If none of those individuals eligible to act as surrogate are reasonably available, an adult who has exhibited special care and concern for the person, who is familiar with the person's personal values, and who is reasonably available, may act as surrogate. A person shall be disqualified from acting as surrogate if the patient has filed an order of protection against that person and the order is still in effect.

To reduce the risk of unauthorized, unlawful, or unwanted decision-making, it is in the best interest of the individual to complete their advance directives.

**Q: Can hospitals or doctors require me to have advance health care directives?**

A: No, they cannot require you to complete you advance directives.

**Q: Will my advance directive be honored in another state?**

A: That depends. Each state has unique advance directive forms. Some states will honor advance directives completed in other states while others will not, and some states do not address the issue. Therefore, it is recommended that if you spend a significant amount of time in another state, complete your advance directives there, too. Also keep in mind that if you move to another state, you should create new forms with that state's statutes in mind. Ultimately, it will be easier for medical professionals to honor your directives if they are familiar with the form(s) unique to their state.

**Q: I think someone in my family should complete these forms. How can I talk to them about getting it done?**

A: If you are initiating a conversation with your loved one, remember to be patient and understanding — these conversations can be tough. Make a plan for your conversation, practice it with a friend, and bring paper to take notes. If you are unsure of how to start the conversation, saying “I need your help with something” or “I was thinking about what I would like the end of my life to look like. I want \_\_\_\_\_. What would your wishes be?” might help get the conversation going.

**Q: What happens if I do not have my DNR form present during a medical emergency?**

A: Emergency medical professionals will still attempt resuscitation. Legally and ethically, they must perform CPR on an individual who is not breathing UNLESS the form is provided BEFORE they start resuscitation.

**Q: What if the DNR form is found AFTER emergency medical professionals have begun CPR?**

A: In Kansas, they are legally and ethically unable to stop CPR once they have begun.

**Q: Will a DNR Insignia (bracelet, necklace, etc.) suffice as a DNR?**

A: No. Generally emergency medical professionals will perform CPR unless a DNR form is made available to them. Some private companies offer bracelets, anklets, necklaces, or other insignia for purchase to make your DNR wishes immediately apparent. Before you wear or keep such an item on your person, it is crucial that you have made the cognitive decision that you do not want to be resuscitated in the case of an emergency. If you have made that decision, wear your insignia and keep a copy of your legal DNR form in an accessible location, so it may be presented to medical personnel upon their arrival.

**Q: Do I need an attorney to help with my advance health care plans?**

A: No. In Kansas you can complete all advance health care planning forms without the assistance of an attorney. If you have specific wishes that are not addressed in the fill-in-the-blank forms, you will need to consult with an attorney.

**Q: Can I write specific wishes in the margins of the fill-in-the-blank forms?**

A: No. If you change or alter the fill-in-the-blank forms in any way, there is no guarantee that your document will be legally binding and able to be held up in a court of law.

**Q: Can I advance plan for my pets?**

A: Yes! Kansas State University's Perpetual Pet Program is designed to provide animals with loving homes once an owner is no longer able to provide daily care. For details about the Perpetual Pet Care Program, contact a development professional at 785-532-4378 or [perpetualpetcare@vet.kstate.edu](mailto:perpetualpetcare@vet.kstate.edu).