

## **9. Medical Care Instructions to Your Doctors and Family. Instructions About Human Remains**

In addition to completing a Will (or living trust agreement) and planning for incapacity, you may want to instruct your doctor about whether you wish to have your life preserved by artificial means. You may also wish to direct gifts of either your body or certain organs for medical (or dental) purposes and leave instructions regarding the burial, cremation, or other disposition of your remains. It is not fair to ask your family members or make these decisions for you. The issues arise only at a time of great stress, and the decisions that others make may not be the same as you would make yourself under normal circumstances. Facing these decisions before an accident or the onset of terminal illness is an obligation you owe to those you will leave behind.

### **Right to Die**

The Washington State Legislature enacted the Washington Natural Death Act in 1979 and revised it in 1992. This act permits you to sign written instructions directing your doctor to withhold or withdraw life-sustaining treatment (including artificial nutrition and hydration) if you are diagnosed by your attending physician to be in a terminal condition or if you are diagnosed by two physicians to be in a permanent unconscious condition. A suggested form for the Health Care Directive is included in the statute, but you may want to include additional directions to carry out your intentions.

The directive must be witnessed by two qualified witnesses. If you have executed a “Living Will” or similar document in a form other than the form in the statute, you should consider signing a statutory form as it may be more readily accepted by Washington doctors and hospitals.

In addition to a Health Care Directive, you should also consider a durable power of attorney for healthcare and, as desired, a “do not resuscitate” order or “no CPR” directive. A form (with an insert for a bracelet) for a “no CPR” directive may be obtained from the Department of Health (1-800-458-5281).

### **Gifts for Medical Purposes**

The Anatomical Gift Act, originally enacted in 1969 and recently revised and updated in 1993, permits you to make a gift for medical (or dental) purposes of either your entire body or specific parts. Although you may include the gift in your Will, it is preferable to use either a donor card, the form on the back of your Washington state temporary driver’s license, or a sticker which can be applied to your permanent driver’s license. (Get the sticker when you renew your license.) These instructions may be carried in your wallet and are likely to be found sooner than instructions in your Will.

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To be effective, the donor card or statement of gift need not be delivered to anyone or filed anywhere before your death. If you change your mind, the gift may be revoked in a number of ways, including by a signed statement or an oral statement made in the presence of two individuals. A gift made by a Will may be amended or revoked in the manner provided for the amendment or revocation of Wills. Also, you may refuse to make an anatomical gift by (a) a signed statement, (b) a statement attached to or imprinted on your driver’s license, or (c) another writing used to identify you as refusing to make an anatomical gift. During a terminal illness or injury, the refusal may be made orally or by another form of communication. In the absence of a refusal to make an anatomical gift, the guardian of your person, your attorney-in-fact under a power of attorney that encompasses the authority to make decisions about your health care, or certain family members (in the priority established by statute) may make an anatomical gift of all or part of your body following your death.

A donation of your entire body can usually be made only to a medical school. The Department of Biological Structure at the University of Washington School of Medical (206-543-1860) can provide you with a letter outlining its programs. If you elect to donate your entire body, no specific organs may be given elsewhere.

You can obtain information regarding the donation of organs from LifeCenter Northwest (1-888-543-3287). LifeCenter Northwest can send you a Uniform Donor Card that permits you to give any needed organs or parts, specific organs or parts or your entire body.

Both the University of Washington School of Medicine (Department of Biological Structure) and the LifeCenter Northwest can provide you with specific information about possible restrictions restricted to the donor's age, the condition of the body at the timing of the gift, or the geographical area from which donations may be accepted.

If you sign either a Health Care Directive (Living Will) or a donor form, it is advisable to discuss your desires fully with your family and friends so that they do not inadvertently thwart your intended objectives. In the case of a gift of body parts for the purpose of transplantation, it is important that the donee institution be notified promptly following death.

### **Burial or Cremation Instruction Instructions**

You have the right to control the disposition of your human remains that are not the subject of an anatomical gift. Your wishes regarding the place or method of disposition should be expressed in writing that you sign in the presence of a witness.

Prearrangements that are prepaid or filed with a licensed funeral establishment or cemetery authority will also allow your wishes to be carried out without the consent of anyone else. If your wishes are not expressed in either of these ways, the law specifies the person who may make the decisions for you.