

ADVANCE DIRECTIVES



Being able to make decisions about what treatments to receive in the event that your health doesn't allow it, is a right of all. Advance directives can help with those wishes. Talk to your doctor about your health and the desire to have this document so that your will is respected.

What are advance directives?

Advance directives or living will allow a person (21 years or older) to choose what medical treatment they will receive if terminally ill or in a vegetative state. This legal document is made before the person can't longer communicate and allow their wishes to be respected until the moment of their death.

When can advance directives be made?

You don't have to be terminally ill to do it. They can be done at any time by writing what treatments you want to receive or refuse.

How can advance directives be made?

They can be done in two ways:

- **Before a public notary:** Through an affidavit. Witnesses are not needed.
- **Before a doctor:** It must be done in the presence of two witnesses who are over 21 years. Witnesses can't be family or people responsible for your medical care.

Is there a law that can protect those rights?

Law No.160 of November 17, 2001, "Law of prior Declaration of Will on Medical Treatment in Case of Suffering a Terminal Health Condition or Persistent Vegetative State", regulates what concerns the advance directives.

What information does advance directives include?

- Name of the declarant, witnesses (if done in the presence of a doctor), date, time, place, and signature in all its parts
- It must be stated that the declaration is voluntary
- Medical treatment that you wish to receive (this include whether you want to receive blood transfusions, be intubated, or receive artificial, short-term, or permanent life support)
- Name of the designated person to make decisions when unable to communicate

As a declarant, what are my responsibilities?

- Keep the original document in a safe place where you can easily find it.
- Give a copy to your doctor or health center to keep in your medical file.
- Give a copy to a family member and the designated person to make the decisions.

Are there any limitations on this document?

- This law doesn't authorize euthanasia in Puerto Rico.
- In the case of a pregnant woman who suffers from a terminal health condition during her state, the declaration is inoperative until the end of her pregnancy.

Can I remove the advance directive at any time?

You may cancel this document at any time, in writing or verbally. When made in writing, it must include the date, the intention to cancel the advance directive and your signature. The document must be delivered to your doctor or health center.

What happens if I don't have an advance directive?

If you don't fill out the document, the law requires that the next of kin available will make decisions about your health. Under the law, an adult, spouse, or caregiver over the age of 21 will be considered to make decisions about your treatment.

For guidance and assistance, call the
PSM Beneficiary Service
1-866-600-4753 / 1-844-726-3345 TTY (hearing impaired)
This call is free of charge.

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Reference: <https://www.nia.nih.gov/health/advance-care-planning-advance-directives-health-care#:~:text=Advance%20directives%20are%20legal%20documents,of%20attorney%20for%20health%20care>