

Legal Decisions



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A crisis is no time to make any decision. Just as you and your family would not discuss what to do if your house catches on fire after the house is already in flames, don't wait to make important legal decisions until the time they are needed.

The majority of people with Alzheimer's disease arrive at the later stages without making legal arrangements or making known their wishes for many important medical decisions. During the mild stage time of the disease, probably 50% or more loved ones are able to make their own medical decisions, but just as many are already unable to deal with complex future planning decisions.

By the advanced stage, loved ones with Alzheimer's simply can no longer communicate their needs. Once language is lost, it is up to the family caregiver and others to interpret what they think their loved one wants. This is a very big burden to carry.

✓ **Advance Directives**

Advance directives are one of the most important things you will do as the family caregiver. Advance directives state what your loved one wishes and expects you to do when he or she can no longer speak for themselves. Once in place, it is your duty to carry out those wishes. Not your wishes...but their wishes.

Ideally, the health care team should initiate a discussion about any end-of-life plan while your loved one is still able to participate. The team should be sensitive to the loved one's and family's ability to tackle these difficult issues. Some families are comfortable and capable of making orderly, end of life decisions. Others cannot face thinking about what is going to happen and may need outside support, such as a friend, advocate, minister, or a professional such as a social worker, hospice advocate or attorney, to intervene in the conversation.

The durable power of attorney for health care or health care surrogate, also referred to as the medical power of attorney, empowers one designated individual to make all medical decisions if the patient cannot.

The living will, in some states called "instructions," "directive to physicians," or "declaration," states the patient's desires regarding life-sustaining or life-prolonging medical treatments. The durable power of attorney for health care will be recognized and followed over a living will.

It's impossible to anticipate the incredible number of situations that may occur during the long course of this disease. The living will can be a useful adjunct to a durable power of attorney because it can serve as a guide for the family caregiver.

✓ **Do Not Resuscitate Order**

Experts agree there is no question, Do Not Resuscitate (DNR) orders should be standard procedure for loved ones with advanced Alzheimer's. This is because resuscitation is a horrendous experience for someone with Alzheimer's disease. Only 10% will survive the CPR effort, and almost all who do survive can be so severely injured by the process they will not recover. Unfortunately, they can expect to be even more impaired mentally as well.

Whatever the choices of your loved one, and of you, as the primary family caregiver, reach your decisions early, be sure you understand exactly what is wanted, and make important legal arrangements ahead of time.