



Medical Care Decisions and Advanced Directives:

WHO DECIDES ABOUT MY MEDICAL CARE OR TREATMENT?:

If you are 18 or older and have the capacity to make and communicate health care decisions, you have the right to make decisions about your medical / mental health treatment. You should talk to your doctor or other health care provider about any treatment or procedure so that you understand what will be done and why. You have the right to say “yes” or “no” to treatment recommended by your doctor or mental health provider. If you want to control decisions about your health / mental health care even if you become unable to make or to express them yourself, you will need an “advanced directive.”

WHAT IS AN ADVANCED DIRECTIVE?:

An Advanced Health Care Directive is a set of directions you give about the health / mental health care you want if you are ever to lose your ability to make decisions for yourself. North Carolina has three ways for you to make a formal advance directive. One way is called a “living will”; another is called a “health care power of attorney”; and another is called an “advance instruction for mental health treatment.”

DO I HAVE TO HAVE AN ADVANCE DIRECTIVE AND WHAT IF I DON'T?:

Making a living will, a health care power of attorney or an advance instruction for mental health treatment is your choice. If you become unable to make your own decisions, and you have no living will, advance instruction for mental health treatment, or a person named to make medical / mental health decisions for you (“health care agent”), your doctor or health / mental health care provider will consult with someone close to you about your care.

LIVING WILL ~ WHAT IS A LIVING WILL?:

In North Carolina, a living will is a document that tells others that you want to die a natural death if you are terminally or incurably sick or in a persistent vegetative state from which you will not recover. In a living will, you can direct your doctor not to use heroic treatment that would delay your dying, or to stop such treatments if they have been started. You can also direct your doctor not to begin or to stop giving you food and water through a tube.

HEALTH CARE POWER OF ATTORNEY:

In North Carolina, you can name a person to make medical / mental health care decisions for you if you later become unable to decide yourself. This person is called your “health care agent.” In the legal document you name who you want your agent to be. You can say what medical treatments / mental health treatments you would want and what you would not want. Your health care agent then knows what choices you would make. You should choose an adult you trust and discuss your wishes with this person before you put them in writing.





Rights of Patients

- Patients are treated with respect, consideration, and dignity.
- Patients are provided appropriate privacy.
- When the need arises, reasonable attempts are made for health care professionals and other staff to communicate in the language or manner primarily used by the patient.
- Patient disclosures and records are treated confidentially, and patients are given the opportunity to approve or refuse their release, except when release is required by law.
- Patients have the right to see and request a copy of their health record or other health information. If their health record is maintained electronically, they have the right to request a copy in electronic format.
- Patients are provided, to the degree known, complete information concerning their diagnosis, evaluation, treatment, and prognosis. When it is medically inadvisable to give such information to a patient, the information is provided to a person designated by the patient or to a legally authorized person.
- Patients are given the opportunity to participate in decisions involving their health care, except when such participation is contraindicated for medical reasons.
- Patients have a right to know the services available.
- Patients have a right to provisions for after-hours and emergency care.
- Patients have a right to know the facility fees for services and payment policies.
- Patients have a right to be informed of patient conduct and responsibilities.
- Patients have a right to refuse to participate in experimental research.
- Patients have a right to be notified of the center's policy on Advance Directives, as required by state or federal law and regulations.
- Patients have a right to know the credentials of health care professionals providing their care.
- Patients are informed of their right to change their provider if other qualified providers are available.
- Patients are provided with appropriate information regarding the absence of malpractice insurance coverage.
- Patients are informed about procedures for expressing suggestions, complaints, and grievances, including those required by state and federal regulations.
- N.C. Division of Health Service Regulation, Telephone: 1-800-624-3004, Address: 2711 Mail Service Center, Raleigh, NC 27699-2711.
- Office of the Medicare Beneficiary Ombudsman www.cms.hhs.gov/center/ombudsman.asp

Patient Responsibilities

- Provide complete and accurate information to the best of his/her ability about his/her health, any medications, including over-the-counter products and dietary supplements, and any allergies or sensitivities.
- Follow the treatment plan prescribed by his/her provider.
- Provide a responsible adult to transport him/her home from the facility and remain with him/her for 24 hours, if required by his/her provider.
- Inform his/her provider about any living will, medical power of attorney, or other directive that could affect his/her care.
- Accept personal financial responsibility for any charges not covered by his/her insurance.
- Be respectful of all the health care providers and staff, as well as other patients.