

**WASHINGTON**  
**Advance Directive**  
**Planning for Important Health Care Decisions**

***Caring Connections***  
*1731 King St., Suite 100, Alexandria, VA 22314*  
[www.caringinfo.org](http://www.caringinfo.org)  
*800/658-8898*

Caring Connections, a program of the National Hospice and Palliative Care Organization (NHPCO), is a national consumer engagement initiative to improve care at the end of life.

**It's About How You LIVE**

*It's About How You LIVE* is a national community engagement campaign encouraging individuals to make informed decisions about end-of-life care and services. The campaign encourages people to:

- L**earn about options for end-of-life services and care
- I**mplement plans to ensure wishes are honored
- V**oice decisions to family, friends and health care providers
- E**ngage in personal or community efforts to improve end-of-life care

**Note:** The following is not a substitute for legal advice. While Caring Connections updates the following information and form to keep them up-to-date, changes in the underlying law can affect how the form will operate in the event you lose the ability to make decisions for yourself. If you have any questions about how the form will help ensure your wishes are carried out, or if your wishes do not seem to fit with the form, you may wish to talk to your health care provider or an attorney with experience in drafting advance directives.

## Using these Materials

### BEFORE YOU BEGIN

1. Check to be sure that you have the materials for each state in which you may receive health care.
2. These materials include:
  - Instructions for preparing your advance directive, please read all the instructions.
  - Your state-specific advance directive forms, which are the pages with the gray instruction bar on the left side.

### ACTION STEPS

1. You may want to photocopy or print a second set of these forms before you start so you will have a clean copy if you need to start over.
2. When you begin to fill out the forms, refer to the gray instruction bars — they will guide you through the process.
3. Talk with your family, friends, and physicians about your advance directive. Be sure the person you appoint to make decisions on your behalf understands your wishes.
4. Once the form is completed and signed, photocopy the form and give it to the person you have appointed to make decisions on your behalf, your family, friends, health care providers, and/or faith leaders so that the form is available in the event of an emergency.
5. Washington maintains an Advance Directive Registry, called the Washington State Living Will Registry. By filing your advance directive with the registry, your health care provider and loved ones may be able to find a copy of your directive in the event you are unable to provide one. You can read more about the registry, including instructions on how to file your advance directive, at <http://www.doh.wa.gov/livingwill/>.
6. You may also want to save a copy of your form in an online personal health records application, program, or service that allows you to share your medical documents with your physicians, family, and others who you want to take an active role in your advance care planning.

## Introduction to Your Washington Advance Directive

This packet contains a **Washington Advance Directive**, which protects your right to refuse medical treatment you do not want or to request treatment you do want in the event you lose the ability to make decisions yourself. You may complete Part I, Part II, Part III, or any or all parts, depending on your advance-planning needs. You must complete Part IV.

**Part I, Washington Durable Power of Attorney for Health Care**, lets you name someone to make decisions about your health care—including decisions about life-sustaining treatments—if you can no longer speak for yourself. This is especially useful because it appoints someone to speak for you any time you are unable to make your own health care decisions, not only at the end of life.

Part I goes into effect when your doctor determines that you are no longer capable of making or communicating your health care decisions.

**Part II, Washington Declaration**, lets you state your wishes about health care in the event you cannot speak for yourself and you develop a terminal condition or you are permanently unconscious.

Part II goes into effect when your doctor determines that you are no longer capable of making or communicating your health care decisions and you have a terminal condition or are permanently unconscious.

**Part III** allows you to record your organ and tissue donation wishes.

**Part IV** contains the signature and witnessing provisions so that your document will be effective.

This form does not expressly address mental illness. If you would like to make advance care plans regarding mental illness, you should talk to your physician and an attorney about an advance directive tailored to your needs.

*Note: This document will be legally binding only if the person completing it is a competent adult (at least 18 years old).*

## **INSTRUCTIONS FOR COMPLETING YOUR WASHINGTON ADVANCE DIRECTIVE**

### **How do I make my Washington Advance Directive legal?**

If you complete Part II and/or Part III, you must sign your document in the presence of two adult witnesses. Your witnesses **cannot** be:

- related to you,
- entitled to any portion of your estate,
- a person who has a claim against your estate, or
- your attending physician, an employee of your attending physician, or an employee of a health facility in which you are a patient.

In addition, if you have completed Part III, your witnesses must also be disinterested with regard to any anatomical gift you make (i.e., they are not interested in receiving your organs).

There are no specific witnessing requirements if you complete ONLY Part I. However, you should consider having your signature witnessed in the same manner in order to avoid any problems in the event your advance directive is challenged.

### **Whom should I appoint as my attorney-in-fact?**

Your attorney-in-fact is the person you appoint to make decisions about your health care if you become unable to make those decisions yourself. Your attorney-in-fact may be a family member or a close friend whom you trust to make serious decisions. The person you name as your attorney-in-fact should clearly understand your wishes and be willing to accept the responsibility of making health care decisions for you.

You can appoint a second person as your alternate attorney-in-fact. The alternate will step in if the first person you name as an attorney-in-fact is unable, unwilling, or unavailable to act for you.

The person you appoint as your attorney-in-fact **cannot** be:

- your doctor,
- an employee of your doctor, or
- an administrator, owner, or employee of a health care facility in which you are a patient at the time you sign your advance directive.

However, you may appoint any of the individuals listed above if he or she is also your spouse, state registered domestic partner, adult child, brother or sister.

### **Should I add personal instructions to my Washington Advance Directive?**

One of the strongest reasons for naming an attorney-in-fact is to have someone who can respond flexibly as your health care situation changes and deal with situations that you did not foresee. If you add instructions to this document it may help your attorney-

in-fact carry out your wishes, but be careful that you do not unintentionally restrict your attorney-in-fact's power to act in your best interest. In any event, be sure to talk with your attorney-in-fact about your future medical care and describe what you consider to be an acceptable "quality of life."

### **What if I change my mind?**

You may revoke your Health Care Directive at any time by:

- Canceling, defacing, obliterating, burning, tearing, or otherwise physically destroying your Directive or having another destroy it for you in your presence,
- Executing a written and dated revocation, or
- Orally expressing your intent to revoke your Directive.

Your revocation becomes effective on communication to your attending physician and your attorney-in-fact, if you have appointed one.

If you register your advance directive with the Washington State Living Will Registry, you should notify the registry if you change or revoke your advance directive.

PART I

**PART I. Durable Power of Attorney for Health Care**

I understand that my wishes as expressed in my advance directive may not cover all possible aspects of my care if I become incapacitated. Consequently, there may be a need for someone to accept or refuse medical intervention on my behalf, in consultation with my physician.

Therefore, I, \_\_\_\_\_,  
as principal, designate and appoint the person(s) listed below as my attorney-in-fact for health care decisions.

First Choice:           Name: \_\_\_\_\_  
                                  Address: \_\_\_\_\_  
                                  City/State/Zip Code: \_\_\_\_\_  
                                  \_\_\_\_\_  
                                  Telephone Number: \_\_\_\_\_

If the above person is unable, unavailable, or unwilling to serve, I designate:

Second Choice:       Name: \_\_\_\_\_  
                                  Address: \_\_\_\_\_  
                                  City/State/Zip Code: \_\_\_\_\_  
                                  \_\_\_\_\_  
                                  Telephone Number: \_\_\_\_\_

1. This Power of Attorney shall take effect upon my incapacity to make my own health care decisions, as determined by my treating physician and one other physician, and shall continue as long as the incapacity lasts or until I revoke it, whichever happens first.

PRINT YOUR NAME

PRINT THE NAME, ADDRESS AND TELEPHONE NUMBER OF YOUR FIRST CHOICE TO ACT AS YOUR ATTORNEY-IN-FACT

PRINT THE NAME, ADDRESS AND TELEPHONE NUMBER OF YOUR SECOND CHOICE TO ACT AS YOUR ATTORNEY-IN-FACT

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**WASHINGTON ADVANCE DIRECTIVE - PAGE 2 OF 6**

STRIKE THROUGH  
AND INITIAL ANY  
LANGUAGE WITH  
WHICH YOU DO  
NOT AGREE

ADD OTHER  
INSTRUCTIONS, IF  
ANY, REGARDING  
YOUR ADVANCE  
CARE PLANS

THESE  
INSTRUCTIONS CAN  
FURTHER ADDRESS  
YOUR HEALTH CARE  
PLANS, SUCH AS  
YOUR WISHES  
REGARDING  
HOSPICE  
TREATMENT, BUT  
CAN ALSO ADDRESS  
OTHER ADVANCE  
PLANNING ISSUES,  
SUCH AS YOUR  
BURIAL WISHES OR  
ORGAN DONATION

ATTACH  
ADDITIONAL PAGES  
IF NEEDED

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2. My attorney-in-fact shall have all the powers necessary to make decisions about my health care on my behalf. These powers shall include, but not be limited to, the power to obtain medical records in order to make a fully-informed decision, the power to have me admitted to a health care facility, and the power order the withholding or withdrawal of life-sustaining treatment and artificially provided nutrition and hydration. The existence of this Durable Power of Attorney for Health Care shall have no effect upon the validity of any other Power of Attorney for other purposes that I have executed or may execute in the future.

3. My attorney-in-fact's powers shall survive my death to the extent that my attorney-in-fact shall have all the powers necessary to direct the donation of my organs and the final disposition of my remains.

4. In the event that a proceeding is initiated to appoint a guardian of my person under RCW 11.88, I nominate the person designated as my first choice (on page 1) to serve as my guardian. My second choice (on page 1) will serve as my guardian if the first person is unable or unwilling.

5. When making health-care decisions for me, my attorney-in-fact should think about what action would be consistent with past conversations we have had, my treatment preferences as expressed in this or any other clear expression of my desires, my religious and other beliefs and values, and how I have handled medical and other important issues in the past. If what I would decide is still unclear, then my attorney-in-fact should make decisions for me that my attorney-in-fact believes are in my best interest, considering the benefits, burdens, and risks of my current circumstances and treatment options.

6. I give the following additional instructions as guidance for my attorney-in-fact: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(attach additional pages if needed)

PART II

PRINT THE DATE

PRINT YOUR NAME

**PART II. Declaration**

Directive made this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
(date) (month) (year)

I, \_\_\_\_\_,  
(name)

having the capacity to make health care decisions, willfully, and voluntarily make known my desire that my dying shall not be artificially prolonged under the circumstances set forth below, and do hereby declare that:

(a) If at any time I should be diagnosed in writing to be in a terminal condition by the attending physician, or in a permanent unconscious condition by two physicians, and where the application of life-sustaining treatment would serve only to artificially prolong the process of my dying, I direct that such treatment be withheld or withdrawn, and that I be permitted to die naturally. I understand by using this form that a terminal condition means an incurable and irreversible condition caused by injury, disease, or illness, that would within reasonable medical judgment cause death within a reasonable period of time in accordance with accepted medical standards, and where the application of life-sustaining treatment would serve only to prolong the process of dying. I further understand in using this form that a permanent unconscious condition means an incurable and irreversible condition in which I am medically assessed within reasonable medical judgment as having no reasonable probability of recovery from an irreversible coma or a persistent vegetative state.

(b) In the absence of my ability to give directions regarding the use of such life-sustaining treatment, it is my intention that this directive shall be honored by my family and physician(s) as the final expression of my legal right to refuse medical or surgical treatment and I accept the consequences of such refusal. If another person is appointed to make these decisions for me, whether through a durable power of attorney or otherwise, I request that the person be guided by this directive and any other clear expressions of my desires.

(c) If I am diagnosed to be in a terminal condition or in a permanent unconscious condition (initial one):

- \_\_\_\_\_ I DO want to have artificially provided nutrition and hydration.
- \_\_\_\_\_ I DO NOT want to have artificially provided nutrition and hydration.

(d) If I have been diagnosed as pregnant and that diagnosis is known to my physician, this directive shall have no force or effect during the course of my pregnancy.

STRIKE THROUGH AND INITIAL ANY LANGUAGE WITH WHICH YOU DO NOT AGREE

INITIAL YOUR WISHES ABOUT ARTIFICIAL NUTRITION AND HYDRATION

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STRIKE THROUGH AND INITIAL ANY LANGUAGE WITH WHICH YOU DO NOT AGREE

(e) I understand that before I sign this directive, I can add to or delete from or otherwise change the wording of this directive and that I may add to or delete from this directive at any time and that any changes shall be consistent with Washington state law or federal constitutional law to be legally valid.

(f) It is my wish that every part of this directive be fully implemented. If for any reason any part is held invalid it is my wish that the remainder of my directive be implemented.

(g) I make the following additional instructions regarding my care:

Multiple horizontal lines for writing additional instructions.

ADD OTHER INSTRUCTIONS, IF ANY, REGARDING YOUR ADVANCE CARE PLANS

THESE INSTRUCTIONS CAN FURTHER ADDRESS YOUR HEALTH CARE PLANS, SUCH AS YOUR WISHES REGARDING HOSPICE TREATMENT, BUT CAN ALSO ADDRESS OTHER ADVANCE PLANNING ISSUES, SUCH AS YOUR BURIAL WISHES

ATTACH ADDITIONAL PAGES IF NEEDED

(attach additional pages if needed)

PART III

**PART III. Organ Donation**

Initial the line next to the statement below that best reflects your wishes. You do not have to initial any of the statements. If you do not initial any of the statements, your attorney-in-fact, other agent, or your family, may have the authority to make a gift of all or part of your body.

\_\_\_\_\_ I do not want to make an organ or tissue donation and I do not want my attorney-in-fact, other agent, or family to do so.

\_\_\_\_\_ I have already signed a written agreement or donor card regarding organ and tissue donation with the following individual or institution:

Name of individual/institution: \_\_\_\_\_

\_\_\_\_\_ Pursuant to Washington State law, I hereby give, effective on my death (initial one):

\_\_\_\_\_ Any needed organ or parts.

\_\_\_\_\_ The following part or organs listed below:

\_\_\_\_\_  
\_\_\_\_\_

For (initial one):

\_\_\_\_\_ Any legally authorized purpose.

\_\_\_\_\_ Transplant or therapeutic purposes only.

INITIAL ONLY ONE

PART IV

**PART IV. Execution**

I understand the full import of this directive and I am emotionally and mentally capable to make the health care decisions contained in this directive. I also understand that I can change or revoke all or part of this directive at any time.

Signed: \_\_\_\_\_ Date \_\_\_\_\_

Printed Name: \_\_\_\_\_

City, County, and State of Residence: \_\_\_\_\_

The declarer, who signed the above Directive, is personally known to me and I believe him or her to be capable of making health care decisions. I agree that I am not related to the declarer by blood or marriage, the declarer has stated I am not mentioned in the declarer's will, and I will not be entitled to any portion of the estate of the declarer upon declarer's decease under any existing will of the declarer at the time of the execution of the above Directive. In addition, I am not the attending physician, an employee of the attending physician or a health care facility in which the declarer is a patient, or any person who has a claim against any portion of the estate of the declarer upon the declarer's decease at the time of the execution of the above Directive.

Witness 1: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Witness 2: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

I further attest that I am disinterested with regard to any anatomical gift made by declarer.

Disinterested Witness: \_\_\_\_\_

SIGN, DATE AND PRINT YOUR NAME AND YOUR CITY, COUNTY, AND STATE OF RESIDENCE

IF YOU COMPLETED PARTS II AND/OR III YOU MUST HAVE TWO WITNESSES SIGN, DATE, AND PRINT THEIR NAMES HERE

IF YOU COMPLETED PART III, ONE WITNESS MUST ALSO SIGN HERE

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*Courtesy of Caring Connections  
1731 King St., Suite 100, Alexandria, VA 22314  
www.caringinfo.org, 800/658-8898*

## You Have Filled Out Your Health Care Directive, Now What?

1. Your Washington Advance Directive is an important legal document. Keep the original signed document in a secure but accessible place. Do not put the original document in a safe deposit box or any other security box that would keep others from having access to it.
2. Give photocopies of the signed original to your attorney-in-fact and alternate attorney-in-fact, doctor(s), family, close friends, clergy, and anyone else who might become involved in your health care. If you enter a nursing home or hospital, have photocopies of your document placed in your medical records.
3. Be sure to talk to your attorney-in-fact(s), doctor(s), clergy, family, and friends about your wishes concerning medical treatment. Discuss your wishes with them often, particularly if your medical condition changes.
4. Washington maintains an Advance Directive Registry, called the Washington State Living Will Registry. By filing your advance directive with the registry, your health care provider and loved ones may be able to find a copy of your directive in the event you are unable to provide one. You can read more about the registry, including instructions on how to file your advance directive, at <http://www.doh.wa.gov/livingwill/>.
5. You may also want to save a copy of your form in an online personal health records application, program, or service that allows you to share your medical documents with your physicians, family, and others who you want to take an active role in your advance care planning.
6. If you want to make changes to your documents after they have been signed and witnessed, you must complete a new document.
7. Remember, you can always revoke your Washington document.
8. Be aware that your Washington document will not be effective in the event of a medical emergency. Ambulance and hospital emergency department personnel are required to provide cardiopulmonary resuscitation (CPR) unless they are given a separate directive that states otherwise. These directives called "prehospital medical care directives" or "do not resuscitate orders" are designed for people whose poor health gives them little chance of benefiting from CPR. These directives instruct ambulance and hospital emergency personnel not to attempt CPR if your heart or breathing should stop.

Currently not all states have laws authorizing these orders. We suggest you speak to your physician if you are interested in obtaining one. **Caring Connections does not distribute these forms.**