

Planning for the Worst: Advance Medical Directives

Soldiers are used to planning for the worst case scenario. They know missions rarely go according to plan, so they always have alternate courses of action. This mentality is critical to planning for life outside the military, too. One way to plan for contingencies is to consider Advance Medical Directives in the event of a serious injury that leaves a Soldier or family member unable to communicate. Though sometimes difficult to think about, Soldiers can lessen the burden on their families by giving directions for the medical treatment they want in the event of this type of injury. There are several types of Advance Medical Directives, which may be useful depending on each Soldier's individual situation. A few options include living wills, medical powers of attorney, and Do-Not-Resuscitate orders.

A living will is a written legal document that states your wishes for the use of life-prolonging medical care if you become terminally ill and are unable to communicate your wishes. Typically, this document will only go into effect if you sustain a serious injury and will not survive without the use of life-sustaining treatment such as a respirator or intravenous feeding. Living wills can prevent your family from trying to guess your wishes when you can no longer communicate. Living wills do not let you select someone to make decisions for you, but instead give directions for specific medical conditions. It is particularly useful if you do not have someone to make these decisions for you or feel strongly about a certain type of treatment.

A durable medical power of attorney does allow you to appoint someone to make health care decisions for you should you become unable to communicate these decisions yourself. One advantage of a medical power of attorney over a living will is that it covers all types of medical situations and allows someone you designate to make medical decisions on your behalf. Since this is such an important task, you should only appoint a close friend or relative as a medical power of attorney.

A Do-Not-Resuscitate (DNR) order is also an option for an advance medical directive. This order is a request not to have cardiopulmonary resuscitation (CPR) or other high-intensity interventions like electric shock or intubation tubes if your heart stops or you stop breathing. This does not have to be coordinated through a legal office, but instead is coordinated directly with your doctor who will include it in your medical records. Reasons someone might choose to have a DNR include wanting to avoid procedures that are invasive, painful, expensive, or would prevent them from dying a "natural" death. This is a very personal decision, and should be discussed with a medical provider who can give advice and assistance based on individual circumstances.

You can choose to have any combination of these directives. Since a living will only covers certain medical conditions while a medical power of attorney is more flexible, the two documents can work together to cover you for whatever may happen.

Also, if a medical professional has concerns or is reluctant to terminate life support with only a living will, the instructions of a health care agent appointed through the medical power of attorney can ease concerns and make it more likely your wishes are carried out.

Soldiers and family members can prepare a living will or medical power of attorney with the help of the Fort Lee Client Services Division or a local legal assistance office. DNRs, on the other hand, must go through your medical provider. If you change your mind later, you can always make changes to your advance directive as long as you are of sound mind and can clearly communicate your wishes.

After preparing your documents, you can enter them into the Virginia Advance Health Care Directive Registry (<https://connectvirginia.org/adr/>), which is a secure centralized database that allows Virginia residents to store their Virginia Advance Health Care Directive, Durable Do Not Resuscitate, Health Care Power of Attorney, and other documents so medical providers, emergency responders, family members, and anyone else they grant access will honor their wishes.

BYLINE: The author, CPT Jane Riddle, is a FLEP (Funded Legal Education Program) intern with the Fort Lee Office of the Staff Judge Advocate.