

We all value the right to make our own decisions about our medical and mental health care, and there may come a time when we can't understand or express our choices due to an incapacitating accident or illness. Under Federal and State Law, every adult age 18 years or older who is legally competent (does not have a guardian appointed for medical decisions) and "of sound mind" has the right to create an Advance Directive. An Advance Directive is a legally binding written document that allows you to make your decisions for care and treatment known in advance to ensure that these will be honored if you are unable to speak for yourself. The decision to create or not create an Advance Directive is entirely voluntary. Your services will not be affected either way.

Under Michigan Law, there are two basic types of Advance Directives:

1. The Michigan Estates and Protected Individual's Code allows you to create an **Advance Directive for Medical and/or for Mental Health Care**. In these documents you designate another trusted individual, called a "Patient Advocate," to act as your agent who will be empowered to make care or treatment decisions on your behalf based on your previously stated wishes during a time when you are unable to give informed consent.

- A **Durable Power of Attorney for Health Care** is a document in which you direct your patient advocate, in writing, to consent or refuse to consent to certain types of medical care based on your previously stated wishes. In order for the patient advocate to make these decisions on your behalf, your physician and at least one other physician or licensed psychologist must first examine you and determine that you are unable to give informed consent to medical decisions. You have the right to revoke your patient advocate's authority at any time. The patient advocate's authority is also suspended when you are again able to give informed consent.

- A **Durable Power of Attorney for Mental Health Care**, also known as an Advance Directive for Mental Health Care,

or a Psychiatric Advance Directive (PAD), is a document in which you direct your patient advocate, in writing, to consent or refuse to consent to certain types of mental health/psychiatric care based on your previously stated wishes. In order for your patient advocate to make decisions on your behalf, a physician and a mental health professional of your choosing (who can be a physician, psychologist, registered nurse or masters-level social worker) must examine you and determine that you are unable to give informed consent to mental health care decisions. You have the right to revoke your patient advocate's authority at any time, unless you have chosen to waive this right in your Advance Directive for Mental Health Care. The patient advocate's authority is also suspended when you are again able to give informed consent.

2. A **Do-Not-Resuscitate Order (DNR)** is a document created under the Michigan Do Not Resuscitate Procedures Act that allows you to direct, in writing, that you will not be resuscitated in the event you stop breathing or your heart stops. There are some facilities or circumstances when a DNR is not legally binding; please check current law if you have any questions.

If you already have an Advance Directive or choose to create one in the future, please provide a copy to place in your health records so your treating professionals are aware of it.

We encourage you to learn more about Advance Directives. More information is available upon your request, including referral information about other agencies who may be able help you develop an Advance Directive. Contact your Customer Services staff for more information or go to [http://www.michigan.gov/mdch/0,1607,7-132-2941\\_4868\\_41752---,00.html](http://www.michigan.gov/mdch/0,1607,7-132-2941_4868_41752---,00.html). You may also choose to discuss Advance Directives with your mental health workers.

Information about Advance Directives will reflect changes in State law as soon as possible, but not later than 90 days after the effective date of the change. Information with these changes will be provided to you.

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SERVING PEOPLE IN CRAWFORD, GRAND TRAVERSE, LEELANAU, MISSAUKEE, ROSCOMMON AND WEXFORD COUNTIES.

105 Hall St., Ste. A  
Traverse City, MI 49684  
(231) 922-4850  
711 TDD/TTY

527 Cobb St.  
Cadillac, MI 49601  
(231) 775-3463

204 Meadows Dr.  
Grayling, MI 49738  
(989) 348-8522

2715 S. Townline Rd.  
Houghton Lake, MI 48629  
(989) 366-8550

Grievances concerning noncompliance with Advance Directive requirements may be filed with Customer Services.

### **If you would like to complete an advance directive for medical or mental health care**

#### **Munson Health Care Advance Care Planning**

The Advance Care Planning department at Munson Health Care can assist you and your family with your planning needs. For more information call (231) 935-6176 or visit <https://www.munsonhealthcare.org/services/advance-care-planning/advance-care-planning>

**Northern Lakes CMH Authority** can provide you copies of the following information and forms available from the Michigan Department of Health and Human Services (MDHHS) website at [https://www.michigan.gov/mdhhs/0,5885,7-339-71547\\_2943\\_70663---,00.html](https://www.michigan.gov/mdhhs/0,5885,7-339-71547_2943_70663---,00.html)

or at the following links:

#### **A. Michigan Advance Directive for Mental Health Care**

[http://www.michigan.gov/mdch/0,1607,7-132-2941\\_4868\\_41752---,00.html](http://www.michigan.gov/mdch/0,1607,7-132-2941_4868_41752---,00.html)

#### **B. Patient Advocate Designation DCH3916 (06/15):**

[https://www.michigan.gov/documents/mdch/DCH-3916\\_Patient\\_Advocate\\_Designation-Final\\_474084\\_7.pdf](https://www.michigan.gov/documents/mdch/DCH-3916_Patient_Advocate_Designation-Final_474084_7.pdf)

#### **C. Frequently Asked Questions about a Patient Advocate Designation**

[https://www.michigan.gov/documents/mdch/Advance\\_Directive\\_Supplement\\_FAQs\\_474087\\_7.pdf](https://www.michigan.gov/documents/mdch/Advance_Directive_Supplement_FAQs_474087_7.pdf)

#### **D. Advance Directives: Planning for Medical Care in the Event of Loss of Decision-Making Ability**

[https://www.michigan.gov/documents/miseniors/Advance\\_Directives\\_230752\\_7.pdf](https://www.michigan.gov/documents/miseniors/Advance_Directives_230752_7.pdf)

Your NLCMHA worker or Customer Services staff are available to answer your questions. Call 1-800-337-8598.

### **Where to take copies of Advance Directive that have been completed**

Please take or send a copy of your Advance Directives (whichever form you chose) to the following:

- Medical Records/Health Information Management department of the hospital you would most likely use. Examples: Munson Medical

Center in Traverse City or Munson Health Care - Grayling Hospital or Cadillac Hospital. The hospital can inform you of their procedures and if they need any additional information.

- Your Primary Care Physician and/or other physicians as appropriate
- Northern Lakes Community Mental Health or other mental health care provider
- Your Patient Advocate - if a Durable Power of Attorney (DPOA) has been created
- Friends and/or family members as desired

Keep the Original!