

Advance Directives ('Living Will')

What is it?

- A legally binding document outlining what medical treatment a patient would not want in the future, if they lack capacity.

What makes it legally binding?

- Signed
- Witnessed
- It is not felt if may have been done under distress
- There is no doubt about the patient's state of mind at time of signing

Rights relatives have

- None

Limitations

- The patient cannot specify which treatments they want, only ones they would not want

Lasting Power of Attorney

A third party is appointed (in advance) to make decisions on the patient's behalf should they lose capacity. It may be one person or more than one person acting jointly.

Types

1. Health and welfare
2. Property and finance affairs

Health and Welfare

The third party can decide about the patients:

- Daily routine
- Medical care
- Moving into a care home
- Refusing life-saving treatment

Limitations

- The lasting power of attorney has a right to refuse offered medical treatments but not to choose which treatments to have
- It only takes effect when the patient lacks capacity

Cost

- £130 for each type