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Common Incapacity Documents



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Durable Power of Attorney for Health Care (DPAHC)/Health-Care Proxy	
Advantages	Disadvantages
<ul style="list-style-type: none"> • Is flexible--allows your representative to act on your behalf and make medical decisions based on current circumstances • Generally, your representative can make any decision you would be allowed to make • Generally can be used any time you become incompetent 	<ul style="list-style-type: none"> • Not practical in an emergency--your representative must be present to act on your behalf • Not permitted in some states
Living Will	
Advantages	Disadvantages
<ul style="list-style-type: none"> • Allows you to convey decisions regarding your medical care without relying on any one person to carry out your wishes 	<ul style="list-style-type: none"> • Generally can be used only if you are terminally ill or injured, or in a persistent vegetative state • Generally used only to make decisions regarding life-sustaining treatments • Emergency medical personnel generally cannot withhold emergency care based on a living will • Not permitted in some states
Do Not Resuscitate (DNR) Order	
Advantages	Disadvantages
<ul style="list-style-type: none"> • Allows you to decline CPR if your heart or breathing fails • Effective in an emergency--your doctor should note an in-hospital DNR order on your chart. Out-of-hospital DNR orders take various forms, depending on the laws of your state. ID bracelets, MedicAlert ® necklaces, and wallet cards are some methods of noting DNR status. 	<ul style="list-style-type: none"> • Some states allow DNR orders only for hospitalized patients--others do not restrict eligibility • Only used to decline CPR in case of cardiac or respiratory arrest • Not permitted in some states
Durable Power of Attorney (DPOA)	
Advantages	Disadvantages
<ul style="list-style-type: none"> • You control who acts and what they can do with your property • Low cost to implement • Decreases the chance of court intervention 	<ul style="list-style-type: none"> • Some states do not permit a "springing" DPOA (i.e., a DPOA that is effective only after you have become incapacitated)



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