The Michigan laws that give you the right to have an advance directive are:

- Michigan Dignified Death Act. 1978 PA 368, MCL 333.5651 et seq. as amended.

- Michigan Do-Not-Resuscitate Procedure Act, 1996 PA 193, MCL 333.1051 et seq. as amended.

- Durable Power of Attorney and Designation of Patient Advocate Act, Part 5 of the Estates and Protected Individuals Code (EPIC), 1998 PA 386, MCL 700.5501 et seq. as amended.

The Northern Affiliation has a procedure on Advance Directives. If you would like a copy of the procedure, ask your CMH worker or contact Customer Services at 1-800-834-3393.

North County Community Mental Health
One MacDonald Drive, Suite E
Petoskey, MI 49770

Customer Services
1-800-834-3393 TTY/TDD: 711
Fax: 1-231-487-9059
E-mail:
customerservice@norcocmh.org

September 1, 2007

Advance Directives in Michigan

An **advance directive** is a written document. In it you tell the people working with you your preferences for **medical or mental health** care you want in the future. You can also say who you want to make decisions for you should you lose the ability to make decisions for yourself.

In Michigan there are three types of advance directives. Each type of advance directive accomplishes something different.

The three types of advance directives are:

- Durable Power of Attorney for Health Care
- Living Will
- Do-Not-Resuscitate Order

A **Durable Power of Attorney for Health Care** allows you to appoint someone to make decisions for you if you have a health care crisis. The person can be called an agent, a patient advocate or a proxy. These three names mean the same thing. Michigan courts will honor a durable power of attorney for health care.

A **Living Will** tells health care providers and the courts about your health care choices if you are not able to tell them yourself. Living wills usually deal with end of life situations. Living wills may not be very helpful in all situations.

Michigan courts may look at a living will, but the courts do not have to follow what a living will says.

A **Do-Not-Resuscitate Order** says that you do not want anyone to attempt to help you if your breathing and heartbeat stops. This is also called a DNR.

Do I have to have an advance directive?

No. The decision to have any type of advance directive is completely voluntary. No family member, hospital or insurance company can force you to have one or dictate what the document should say if you decide to write one.

A hospital or community mental health program cannot deny you service because you have an advance directive or because you don't have one.

Who can have an advance directive?

Anyone 18 years of age or older. You must understand you are giving another person power to make certain decisions for you should you become unable to give informed consent.

If you have a guardian appointed under the Estates and Protected Individuals Code, you cannot sign an advance directive.

What are the advantages of having an advance directive?

- It lets your wishes be known.
- It helps loved ones, doctors, hospitals and judges make decisions about your care when you are not able to.
- It gives you more control over your care.

Where can I get more information?

- **The Michigan Department of Community Health at:** http://www.michigan.gov/mdch
- **The State Bar of Michigan has a pamphlet called Patient Designation that can be found at:** http://www.michbar.org/probate/pdfs/patientadvocate.pdf
- **Hospice of Michigan at:** http://www.hom.org/directives.asp
- **Caring Connections at:** http://www.caringinfo.org/files/public/Michigan.pdf
- **Ask your CMH worker for a copy of the MDCH Advance Directive for Mental Health Care booklet.**