End of Life Planning



Advance Directives

An advance directive describes, in writing, your choices about the treatments you want or do not want or about how health care decisions should be made for you if you become incapacitated and cannot express your wishes. Anyone who is of sound mind and age 18 or older may complete these forms. Wisconsin laws created two forms of advance directives for health care – the [living will](https://www.dhs.wisconsin.gov/forms/advdirectives/index.htm) and the [power of attorney for health care](https://www.dhs.wisconsin.gov/forms/advdirectives/index.htm).

* A [living will](https://www.dhs.wisconsin.gov/forms/advdirectives/index.htm) (Declaration to Physicians) allows you to select the kind of life-sustaining care you would want if injury or illness leaves you in a terminal condition (dying) or a persistent vegetative state with no hope of recovery.
* A [health care power of attorney](https://www.dhs.wisconsin.gov/forms/advdirectives/index.htm), you appoint someone to be your “agent” to make all health care decisions – not just those involving life support – for you if you lose the ability to make decisions for yourself.

In addition, you can also appoint someone to handle your financial matters using a [Power of Attorney for Finances and Property](https://www.dhs.wisconsin.gov/forms/AdvDirectives/index.htm).

[Your Right to Direct Your Future Health Care Needs: Who Will Make Your Medical Decisions When You Can't](https://www.dhs.wisconsin.gov/publications/p6/p62025.pdf) (PDF, 104 KB), is a publication from the Department that provides additional information and resources regarding advance directives.

[Consumer's Tool Kit for Health Care Advance Planning(link is external)](http://www.americanbar.org/groups/law_aging/resources/health_care_decision_making/consumer_s_toolkit_for_health_care_advance_planning.html), from the American Bar Association, includes question and answer forms to help you and your family think and talk about end-of-life health care issues.

Do-Not-Resuscitate (DNR) Information

Under [Subchapter III of Wis. Stat. Chapter 154(link is external)](http://docs.legis.wisconsin.gov/statutes/statutes/154/III), an attending physician may issue a do-not-resuscitate order for a "[qualified patient(link is external)](http://docs.legis.wisconsin.gov/statutes/statutes/154/III/17/4)," as defined in [Wis. Stat. s. 154.17 (4)(link is external)](http://docs.legis.wisconsin.gov/statutes/statutes/154/III/17/4).

As defined in [Wis. Stat. s. 154.17 (2)(link is external)](http://docs.legis.wisconsin.gov/statutes/statutes/154/III/17/2) , a do-not-resuscitate order directs emergency medical technicians, first responders and emergency health care facilities personnel not to attempt cardiopulmonary resuscitation on the person for whom the order is issued if that person suffers cardiac or respiratory arrest. The purpose of a do-not-resuscitate order is to ensure that medical care provided in the emergency department and out-of-hospital settings is consistent with the patient's desire and the attending physician's authorization.

[Visit the DNR page for more information on](https://www.dhs.wisconsin.gov/ems/dnr.htm):

* Issuing a DNR order (attending physician responsibilities)
* Revoking a DNR order
* DNR identification bracelets
* Ordering materials

Organ Donation

The[Wisconsin Donor Registry(link is external)](https://health.wisconsin.gov/donorRegistry/public/donate.html) allows a person to legally authorize the gift of their organs, tissues and eyes upon their death. This decision can save and improve lives through transplantation, therapy, research, and education.

[Visit the Organ Donation Program](https://www.dhs.wisconsin.gov/donatelife/index.htm) for more information on the registry and:

* Forms related to organ, tissue and eye recovery
* Donor designation data
* Donation events
* Donation organizations

Access to and Privacy of Health Information

Federal and state laws govern your right to get, read and, in some cases, change the information in your medical records. They also protect the privacy of your medical records and other types of health information. These laws have been interpreted in different ways by different health care providers, but some general information on your rights and protections under these laws is available from the following sources.

[Health Information Privacy for Consumers(link is external)](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html), from the United States Department of Health and Human Services (HHS), includes information on how the privacy rule of the Health Insurance Portability and Accountability Act (HIPAA) may allow you to access your medical records while at the same time protect the privacy of your health information.

[Wisconsin Consumer's Guide to Health Information Privacy](https://www.dhs.wisconsin.gov/HIPAA/consumerguide/consguide.htm): A guide to health information privacy that takes into account HIPAA and laws specific to Wisconsin.

[HIPAA - Frequently Asked Questions(link is external)](http://www.hhs.gov/ocr/privacy/hipaa/faq/index.html), also from HHS, provides answers to a wide variety of questions about access to and privacy of medical records and information covered by HIPAA. Some of the general topics covered include:

* Release of information to [family and friends(link is external)](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/familyfriends.html)
* Information available from [hospital directories(link is external)](http://www.hhs.gov/ocr/privacy/hipaa/faq/facility_directories/484.html)
* Rights of [personal representatives(link is external)](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/personalreps.html) of patients
* Rights to [access my medical records(link is external)](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/medicalrecords.html)
* Release of information in a [severe disaster(link is external)](http://www.hhs.gov/ocr/privacy/hipaa/faq/disclosures_in_emergency_situations/960.html)
* Release of information in a [national or public health emergency(link is external)](http://www.hhs.gov/ocr/privacy/hipaa/faq/disclosures_in_emergency_situations/1068.html)

[Medical Privacy(link is external)](https://www.privacyrights.org/consumer-guides/hipaa-privacy-rule-patients-rights) from the [Privacy Rights Clearinghouse(link is external)](http://www.privacyrights.org/) provides information about your rights and protections on medical information in various settings and circumstances.

Legal Help

[Health Care: Answering Your Legal Questions(link is external)](https://www.wisbar.org/forPublic/INeedInformation/Pages/Health-Care.aspx), published by the State Bar of Wisconsin.

If you need legal help, the [State Bar of Wisconsin(link is external)](http://www.wisbar.org/forPublic/Pages/for-public.aspx) website provides [general information on finding a lawyer(link is external)](http://www.wisbar.org/forPublic/INeedaLawyer/Pages/i-need-a-lawyer.aspx) and information on [finding a lawyer if you have a low income(link is external)](http://www.wisbar.org/forpublic/ineedalawyer/pages/reduced-fee-services.aspx).

The [Legal Services Corporation(link is external)](http://www.lsc.gov/), a private, non-profit corporation established by Congress, provides a list of [local legal aid programs(link is external)](https://www.lsc.gov/what-legal-aid/find-legal-aid) from its website.