

*This is a sample advance directive. Advance directives vary by state and so it is important to fill out a state-specific advance directive form. It is possible that a living will or durable power of attorney signed in one state may not be recognized in another. Appropriate forms can be obtained from health care providers, legal offices, Offices on Aging, and state health departments.*

**Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_

You have the right to give instructions about your own health care. You also have the right to name someone else to make health care decisions for you. This form also lets you write down your wishes regarding donation of organs and the designation of your primary physician. If you use this form, you may complete or change all or any part of it. You are free to use a different form.

**You have the right to change or revoke this advance health care directive at any time.**

### **Part 1 – Power of Attorney for Health Care**

**(1.1) DESIGNATION OF AGENT:** I designate the following individual as my agent to make health care decisions for me:

Name of individual you choose as agent: \_\_\_\_\_

Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone numbers (Indicate home, work, cell): \_\_\_\_\_

\_\_\_\_\_

**ALTERNATE AGENT (Optional):** If I revoke my agent's authority or if my agent is not willing, able, or reasonably available to make a health care decision for me, I designate as my first alternate agent:

Name of individual you choose as alternate agent: \_\_\_\_\_

Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone numbers (Indicate home, work, cell): \_\_\_\_\_

\_\_\_\_\_

**SECOND ALTERNATE AGENT (optional):** If I revoke the authority of my agent and first alternate agent or if neither is willing, able, or reasonably available to make a health care decision for me, I designate as my second alternate agent:

Name of individual you choose as second alternate agent: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone numbers (Indicate home, work, cell): \_\_\_\_\_

\_\_\_\_\_

**(1.2) AGENT'S AUTHORITY:** My agent is authorized to 1) make all health care decisions for me, including decisions to provide, withhold, or withdraw artificial nutrition and hydration and all other forms of healthcare to keep me alive, 2) to choose a particular physician or health care facility, and 3) to receive or consent to the release of medical information and records, except as I state here:

\_\_\_\_\_

\_\_\_\_\_

*(Add additional sheets if needed.)*

**(1.3) WHEN AGENT'S AUTHORITY BECOMES EFFECTIVE:** My agent's authority becomes effective when my primary physician determines that I am unable to make my own health care decisions unless I initial the following line.

\_\_\_\_\_ If I initial this line, my agent's authority to make health care decisions for me takes effect immediately.

**(1.4) AGENT'S OBLIGATION:** My agent shall make health care decisions for me in accordance with this power of attorney for health care, any instructions I give in Part 2 of this form, and my other wishes to the extent known to my agent. To the extent my wishes are unknown, my agent shall make health care decisions for me in accordance with what my agent determines to be my best interest. In determining my best interest, my agent shall consider my personal values to the extent known to my agent.

**(1.5) AGENT'S POST DEATH AUTHORITY:** My agent is authorized to make anatomical gifts, authorize an autopsy, and direct disposition of my remains, except as I state here or in Part 3 of this form:

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*(Add additional sheets if needed.)*

**(1.6) NOMINATION OF CONSERVATOR:** If a conservator of my person needs to be appointed for me by a court, I nominate the agent designated in this form. If that agent is not willing, able, or reasonably available to act as conservator, I nominate the alternate agents whom I have named. \_\_\_\_\_ *(initial here)*

## **Part 2 – Instructions for Health Care**

*If you fill out this part of the form, you may strike out any wording you do not want.*

**(2.1) END-OF-LIFE DECISIONS:** I direct my health care providers and others involved in my care to provide, withhold, or withdraw treatment in accordance with the choice I have marked below:

### **a) Choice Not To Prolong**

I do not want my life to be prolonged if the likely risks and burdens of treatment would outweigh the expected benefits, or if I become unconscious and, to a realistic degree of medical certainty, I will not regain consciousness, or if I have an incurable and irreversible condition that will result in my death in a relatively short time.

Or

**b) Choice To Prolong**

I want my life to be prolonged as long as possible within the limits of generally accepted medical treatment standards.

**(2.2) OTHER WISHES:** If you have different or more specific instructions other than those marked above, such as: what you consider a reasonable quality of life, treatments you would consider burdensome or unacceptable, write them here.

**Part 3 – Donation of Organs at Death (Optional)****(3.1) Upon my death (mark applicable box):**

- I give any needed organs, tissues, or parts
- I give the following organs, tissues or parts only:

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- I do not wish to donate organs, tissues or parts.

My gift is for the following purposes (strike out any of the following you do not want):

Transplant   Therapy   Research   Education

**Part 4 – Primary Physician (Optional)****(4.1) I designate the following physician as my primary physician:**

Name of Physician: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

**Part 5 – Signature**

**(5.1) EFFECT OF A COPY:** A copy of this form has the same effect as the original.

**(5.2) SIGNATURE:**

Sign name: \_\_\_\_\_ Date: \_\_\_\_\_

**(5.3) STATEMENT OF WITNESSES:** I declare under penalty of perjury under the laws of California (1) that the individual who signed or acknowledged this advance health care directive is personally known to me, or that the individual's identity was proven to me by convincing evidence (2) that the individual signed or acknowledged this advance directive in my presence (3) that the individual appears to be of sound mind and under no duress, fraud, or undue influence, (4) that I am not a person appointed as agent by this advance directive, and (5) that I am not the individual's health care provider, an employee of the individual's health care provider, the operator of a community care facility, an employee of an operator of a community care facility, the operator of a residential care facility for the elderly nor an employee of an operator of a residential care facility for the elderly.

**FIRST WITNESS**

Print Name: \_\_\_\_\_

Address: \_\_\_\_\_

Signature of Witness: \_\_\_\_\_ Date: \_\_\_\_\_

**SECOND WITNESS**

Print Name: \_\_\_\_\_

Address: \_\_\_\_\_

Signature of Witness: \_\_\_\_\_ Date: \_\_\_\_\_

**(5.4) ADDITIONAL STATEMENT OF WITNESSES:** At least one of the above witnesses must also sign the following declaration: I further declare under penalty of perjury under the laws of California that I am not related to the individual executing this advance directive by blood, marriage, or adoption, and to the best of my knowledge, I am not entitled to any part of the individual's estate on his or her death under a will now existing or by operation of law.

Signature of Witness: \_\_\_\_\_

Signature of Witness: \_\_\_\_\_

**Part 6 – Special Witness Requirement if in a Skilled Nursing Facility**

**(6.1) The patient advocate or ombudsman must sign the following statement:** STATEMENT OF PATIENT  
ADVOCATE OF OMBUDSMAN

I declare under penalty of perjury under the laws of California that I am a patient advocate or ombudsman as designated by the State Department of Aging and that I am serving as a witness as required by section 4675 of the Probate Code:

Print Name:

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Signature:

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Address:

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Date:

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Certificate of Acknowledgement of Notary Public (Not required if signed by two witnesses) State of California,  
County of \_\_\_\_\_ On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_,  
before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_  
\_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the  
person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed it.

WITNESS my hand and official seal.

Signature:

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