



Frequently Asked Questions

Why should I fill out *Five Wishes* ?

An advance directive like *Five Wishes* allows you to guide important medical care decisions that might be made if you ever get seriously ill – such as whether to give you life-support treatment. You may think that your loved ones and doctors will automatically know what you want when you are very ill, but in reality, everyone has different wishes and it's important to make them clearly known. Expressing your wishes helps empower your family, friends and doctor to make the best decisions when the time comes, and helps avoid disagreements about what to do. Completing *Five Wishes* can help you and your loved ones gain peace of mind around these difficult decisions.

When do I need to use *Five Wishes* ?

The best time to fill out *Five Wishes* is before you face a health crisis. Because life is unpredictable, it's best to be prepared! Anyone over the age of 18 can use *Five Wishes*. It's a good idea to talk about these issues when you experience significant life events like marriage, divorce, having children, or being diagnosed with a major illness.

When does *Five Wishes* take effect?

You will always make your own health care decisions if you are able to talk with your doctor and understand what is being said. *Five Wishes* only takes effect when you are too ill to communicate. If you are unable to make your own decisions or speak for yourself, then your *Five Wishes*, and the person you chose to be your health care agent, can help direct your care with your doctor.

Is *Five Wishes* a legal document?

Yes. It was written with the help of the American Bar Association's Commission on Law & Aging. It meets the legal requirements of 42 states, but is used widely in all 50, and a federal law requires medical care providers to honor patient wishes as expressed. See the list on page 3 of the *Five Wishes* document. Just follow the directions when you sign it.

Does filling out *Five Wishes* guarantee that my wishes will be followed?

Your doctor is required to follow your wishes according to the laws of your state. Each state has its own rules and conditions that a doctor must observe, and so your doctor has the final word on when your *Five Wishes* takes effect. To do all you can to have your wishes followed, make sure you do two things:

- Pick a health care agent (Wish 1), talk with him or her about your wishes to make sure they understand what matters to you, and confirm they will speak for you if you ever get sick.
- Tell your family members, friends, doctor - and anyone who might get involved if you become sick - who you choose as your health care agent. Some even make photocopies of their completed *Five Wishes* and give them to other family members.

Which is better to have: a living will or a health care agent?

The health care agent and the living will go hand-in-hand, and you are usually better off with both. You need to have a health care agent to speak for you when you can't speak for yourself, and you need a living will that expresses your wishes in writing. The law generally requires your health care agent to make decisions that he or she feels you would have made if you could talk. The more information your agent has, the better.

How do I use *Five Wishes*?

Take the following steps to use *Five Wishes*:

- Review the document, possibly with your family as well.
- Fill it out.
- Follow directions for signing it.
- Discuss it with your health care agent and doctor and give each of them a copy.
- Make sure a copy of your *Five Wishes* is placed in your medical file by your doctor.
- Discuss *Five Wishes* with your family and friends and give them a copy.

What do I do after I've signed my *Five Wishes*?

Always keep your completed, signed and witnessed original *Five Wishes* in a place where it can be readily obtained if need be, such as in a desk where important papers are kept. Fill out and keep the wallet card that comes with *Five Wishes*. Give photocopies of the original, not the original itself, to others.

What if I fill out *Five Wishes* and later change my mind?

You can change your wishes any time you want. It is a good idea to review and update your *Five Wishes* at least once a year, or if you have any major changes in your health or your family support network. When you make changes, be sure to inform your health care agent, family, friends and doctor. Destroy all out-of-date copies of the document and distribute copies of your new *Five Wishes*.

Do I have to have my *Five Wishes* notarized?

Not unless you live in one of the few states that requires notarization (see page 10 of *Five Wishes*). Simply follow the directions on the signature page and you'll be safe.

What if I don't know the signing and witnessing requirements of my state?

Just follow the signing/witnessing instructions on page 10 of *Five Wishes* and you'll always be okay. To learn your state's individual requirements, please visit [here](#).

Does *Five Wishes* meet HIPAA requirements?

Yes, the Centers for Medicare & Medicaid Services The agent or proxy appointed under the document is treated as the patient's "personal representative" under HIPAA and has the same access to medical records and information as the patient, once the advance directive is effective.

What if I don't live in a *Five Wishes* state?

If you do not live in a *Five Wishes* state, you are required to take additional steps. Complete, sign and properly witness your *Five Wishes* (follow all instructions) and then attach it to your signed state form, writing "see attached *Five Wishes*." *Five Wishes* can help guide your family, friends and doctor about what you want.

What if I travel a lot? Will my *Five Wishes* be honored wherever I go?

An advance directive that meets the legal requirements of the state in which it was signed (see *Five Wishes* page 3) will be honored in all 50 states under reciprocity. If you are in a state that is not listed, your *Five Wishes* document is still helpful in guiding people to understand your preferences. Some people complete, sign and witness their *Five Wishes* and attach it to their signed state form.

Who developed *Five Wishes*?

Five Wishes was created by the national non-profit organization, *Aging with Dignity*, a leading advocate for the needs of elders and those who care for them. *Aging with Dignity* founder Jim Towey created *Five Wishes* with doctors, nurses, lawyers and other experts in end-of-life care to help people of all ages get the treatment they want if they become seriously ill. Jim is an attorney who served as legal counsel to Mother Teresa of Calcutta for 12 years until her death. He was a full-time live-in volunteer at her home for AIDS patients in Washington, DC. He learned that people are most concerned about maintaining their comfort and dignity when they are very sick. This is why *Five Wishes* addresses the personal, emotional, and spiritual needs of a person, not just the medical ones.