

Elder Law Office of David Wingate, LLC

Planning for Today, Protecting for Tomorrow

WHY EVERYONE NEEDS A LIVING WILL

In Maryland, any competent individual may, at any time, make a Living Will (Health Care / Advance Directive), regarding their health care and/or the withholding or withdrawal of health care. Basically, you decide who will speak for you in a medical crisis, in case you are not able to speak for yourself. Generally, that person will make all decisions that you would make for yourself, such as receiving medical information; conferring with doctors; asking questions; discussing treatment options; second opinions; consenting or refusing medical treatment, including life sustaining treatment; and authorizing transfers to another physician or hospital.

The toughest decision concerns beginning or stopping life-sustaining treatment. In each life, there comes a time when the patient's condition has deteriorated and it is clear that he or she will not become better. Family members or doctors may then question the value of life-sustaining treatments that seem to prolong the process of dying. Additionally, that person may be suffering from extreme pain. Many people say they do not want to die slowly, hooked up to a machine, or fed artificially through tubes.

The reason you should have a Living Will is because your loved ones will know what your thoughts are and what you want to happen to you regarding life-sustaining treatment. If you have personal priorities and spiritual beliefs, these can affect your medical decisions. This is especially true at the end of your life about life-sustaining treatments. Therefore, you need to make sure that your family and health care agent know your wishes, values and fears. No matter what your Living Will says, others may not fully understand your wishes. The more thoroughly you communicate the easier it will be for everyone to respect your wishes.

If you do not have a Living Will, what will happen to you? The medical community, be it a doctor, nurse, or hospital has an obligation to keep you alive. Thus, many treatments can keep people alive even if there is no chance that the treatment will reverse or improve their condition. Ask yourself what you would want to do in that situation?

Only about one in five Americans have an estate plan, don't be part of this tragic statistic.





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