

Advance Directives in Kansas

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Understanding Advance Directives

Advance directives are written documents that allow you to state how you want to be cared for at the end of your life. This is important in case you are not able to tell people what you want because of sickness or injury. Family, friends, and health care professionals can use the advance directives to carry out your wishes in case of terminal illness or an emergency. Two types of advance directives are the durable power of attorney for health care and the living will.

Advance directives can be changed at any time, and should be reviewed and updated periodically.

Talking to Others About Advance Directives

Completing an advance directive is a serious decision. It is a good idea to talk with your physician about advance directives to ensure that you completely understand the options and ramifications of the different types. Consulting an attorney whenever you are contemplating end-of-life decisions may be helpful as well. Your individual situation may make deciding whether to have advance directives, which ones to have, and when to have them more complicated than it seems at first.

Some people find that talking to their family, a trusted friend, or spiritual advisor can be helpful in thinking through these types of decisions. Because advance directives are

Advance Planning for Your Pets

Make a plan for your pets through K-State's Perpetual Pet Care Program. This comprehensive program in the College of Veterinary Medicine provides animals with lifelong care and loving homes once an owner is no longer able to provide daily care. For details about the Perpetual Pet Care Program, contact a development professional at (785) 532-4378 or perpetualpetcare@vet.k-state.edu.

linked to illness, injury, and death, discussing them can make some people uncomfortable. However, receiving the care that you want at the end of your life is too important to be ignored just because the conversation may be a difficult one.

The authors of *Legally Secure Your Financial Future (LSYFF)*, a nationally supported Cooperative Extension template program, suggest three ways to begin a discussion about advance directives.

1. Plan ahead.

Have conversations before a crisis occurs. This allows everyone time to become more at ease with the subject and decisions that are made.

2. Hold a family meeting.

Gather family members together for a formal discussion. You might consider having an outside facilitator present. You might need to hold more than one, over a period of time.

3. Talk among family members.

Know the wishes and desires of your loved ones, and share yours. You might decide to do this indirectly and over time. For example, you might initiate a discussion by putting it into the context of someone else, such as when a friend or celebrity dies. Or, you might decide to be direct. What is important is to start the discussion.

Discussing your views and wishes with your family might lessen confusion and reduce the possibility of conflict among family members if a crisis occurs.

How to Complete an Advance Directive

Advance directives are legal documents. In Kansas, you do not need a lawyer to complete them, as Kansas statutes offer “fill-in-the-blank” forms that you may complete on your own. It is recommended that you use these forms if you are not using the services of an attorney. However, state laws may vary so you want to be sure that you know other states’ requirements if you plan on moving or if you are caring for someone out-of-state. A good place to find more information about a state’s policies on advance directives is the health department or the state office on aging. You can also ask a physician, health care provider or financial or legal advisor for more information.

After Completing an Advance Directive

Once you have completed an advance directive, consider talking to your family, friends, and health care providers about your wishes. Tell them the decisions that you have made, as well as the content and location of your advance directive documents. This may help avoid any confusion during a stressful time for those who love you and care for you.

Make sure that you have copies on hand, and give copies to your loved ones, doctors, hospital, financial institution (for Durable Power of Attorney for Health Care) and lawyer, if you have one. You may want to consider carrying a copy with you or at least placing a note in your wallet or purse stating that you have advance directives and where the forms can be found. You may want to consider placing copies of your advance directives in your automobile’s glove box.

There are some private companies that can electronically store your advance directives via the Internet. Others offer a wallet ID card that indicates what types of advance directives you have and whom to contact. There may be fees for these type of services.

Summary

Thinking about what you desire at the end of life is an important task. Communicate with your family and health care providers. Keep copies of your advance directives available in case of emergency. If you would like more information about this subject, please see additional K-State Research and Extension publications on durable power of attorney for health care and living wills. The list of Kansas Resources and the Legally Secure Your Financial Future program description, both on page 3, provide more information.

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Withholding or withdrawal of life-sustaining procedures; legislative finding and declaration, Kan. Stat. Ann. §§ 65-28,101-28,109.

Kansas Resources

Elder Law Hotline

(800) 353-5337

www.kansaslegalservices.org/Home/PublicWeb/GetHelp

Kansas Bar Association

(785) 234-5696

www.ksbar.org

Kansas Department on Aging

(800) 432-3535

www.agingkansas.org

Kansas Legal Services

(888) 353-5337

www.kansaslegalservices.org

Legally Secure Your Financial Future

LSYFF is a nationally supported Cooperative Extension template program aimed at generating public conversation and personal action. It was adapted for use in Kansas by Carol Young, Deb Sellers, and Shon Robben, Attorney, Arthur-Green, Manhattan, Kan. Please contact your local K-State Research and Extension agent to bring this program to your community, or find out more by visiting <http://www.aging.ksu.edu/p.aspx?tabid=78>. You may also visit <http://www.extension.org/pages/11477/legally-secure-your-financial-future> for additional information.

Legal Disclaimer

Advance Directives in Kansas is designed to acquaint the reader with certain legal information about end-of-life issues. It is not designed as a substitute for legal advice, nor does it tell everything one needs to know about end-of-life issues. Future changes in the law cannot be predicted, and statements in this program are based solely on the laws in force on the date of publication. If readers have specific questions, they should seek professional advice. A resource listing of attorneys by state can be provided by the specific State Bar Association. You can locate your state bar association at <http://www.abanet.org/barserw/stlobar.html>.

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