

## If I Want a Medical Advance Directive and a Psychiatric Advance Directive, Can I Make One Document?

Yes. Or you can decide to have one or the other, or no durable power of attorney.

Michigan law requires that any Advance Directive is signed by witnesses: not immediate family members, not your doctor, and not an employee of a hospital or community mental health program where you are receiving services. You may have friends, people you know, or neighbors, for instance, sign as witnesses. It does not require a signature by a notary.

### Important Things For You to Know

Any of these papers may be a permanent part of your clinical record. If you want them in your record, make sure your case manager and/or support staff has a copy.

If your case manager is mentioned in your advance directive a copy of the plan must be in your clinical record.

Make sure your case manager and/or support staff has the most current copy of your advance directive.

You may change or cancel your advance directive at any time.

It is important to tell your case manager and/or support staff of any changes in your Advance Directive, including if you cancel them.

You have the right to have this information in a different language, type of print, or form.

#### Source:

[http://www.michigan.gov/mdhhs/0,5885,7-339-71547\\_2943\\_70663---,00.html](http://www.michigan.gov/mdhhs/0,5885,7-339-71547_2943_70663---,00.html)  
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You have the right to have this information in a different language, type of print, or form. If you need this information in a different way or you need any other help, please call:

### Michigan Relay Center

Dial 711

(Individuals with hearing-impairment, hard-of-hearing or speech-impairment)

### Customer Service

Van Buren Community Mental Health  
Sandy Thompson  
269-427-6602



Southwest Michigan Behavioral Health complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, or sex.

" ATENCIÓN: Si habla **español**, hay servicios gratuitos de asistencia con el idioma para usted. Llame al 1-800-890-3712 (TTY: 711)."

"انتبه: إن كنت تتحدث العربية، فتوجد خدمات مساعدة لغوية، مجانية، ومتاحة لك. اتصل بـ 1-800-890-3712 (رسالة مبرقة: 711)."



Respecting Individuality,  
Developing Community



# Advance Directives

## What is a Medical and / or Psychiatric Advance Directive?

### Van Buren Community Mental Health

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The Van Buren Community Mental Health Authority (VBCMHA) and the South West Michigan Behavioral Health (SWMBH) supports consumers' rights to their own choices for Advance Directives where the 42 C.F. R. 422.128 law allows.

This pamphlet will assist you with what your choices are for medical care and/or psychiatric care, and explain how to designate another person(s) to make medical/psychiatric decisions for you in the event you are unable to make these decisions for yourself.

If you need any help with this information, you may contact your case manager and/or support staff, or call Customer Service.



## What is a Medical Advance Directive?

A medical advance directive is a legal document that tells healthcare providers what your medical treatment choices are during certain medical emergencies. You create a medical advance directive before a medical emergency happens. Then, if there is an emergency where you are not able to say what treatment you do/do not want, the medical advance directive would state your wishes.

A copy of your advance directive should be kept in your medical/mental health records, at your doctor's office, in your home, and with your patient advocate.

## Who Can Have a Medical Advance Directive?

In the state of Michigan, an adult "of sound mind" may have a medical advance directive. So, if you have a guardian, or the court finds you are not able to make your own treatment decisions, you would not be able to have an advance directive.

## ***Michigan law states that certain people may not witness an advance directive on your behalf.***

This includes guardians, spouses, other family members, healthcare workers or anyone who would get gifts/income at the time of your death.

## How Would I Create a Medical Advance Directive?

There are forms that you may use to write a medical advance directive. Your case manager and/or support staff may help you get the necessary forms or help to create one.

## What is a "Durable Power of Attorney"?

A durable power of attorney is a phrase often used with medical advance directives. When you create an advance directive, you may also name who has the power to make decisions for you when you are not able to make decisions for yourself. The person is called an "**Agent**" or "**Patient Advocate**". A Durable Power of Attorney is a medical advance directive that states who your Patient Advocate/Agent is and what types of decisions he/she can make on your behalf.

## What is a Patient Advocate?

A patient advocate is the person you identify in your advance directive as the one who may make decisions about your medical or psychiatric care if you become unable to make medical or psychiatric decisions for yourself.

## Who Can Be My Patient Advocate?

Anyone who is 18 years or older, who does not have a guardian, may be a patient advocate.

## Do I have to have a Patient Advocate?

In most states, an advance directive is only valid if you have named a patient advocate/agent. So it is best to name one whenever possible.

## What is a Psychiatric Advance Directive?

A psychiatric advance directive is a legal document that tells healthcare providers what your treatment choices are during psychiatric emergencies. You create a psychiatric advance directive before an emergency happens. Then, if there is a psychiatric emergency where you are not able to say what treatment you do or do not want, the psychiatric directive would explain your wishes.

A copy of your psychiatric advance directive should be kept in your medical/mental health records, at your doctor's office, in your home, and with your patient advocate.

## Who Can Have a Psychiatric Advance Directive?

In the state of Michigan, an adult "of sound mind" may have a psychiatric advance directive. So, if you have a guardian, or the court finds you are not able to make your own treatment decisions, you would not be able to have an advance directive.

***Michigan law states that certain people may not witness an advance directive on your behalf.*** This includes guardians, spouses, other family members, healthcare workers or anyone who would get gifts/income at the time of your death.

## How Would I Create a Psychiatric Advance Directive?

There are forms that you may use to write a psychiatric advance directive. Your case manager and/or support staff may help you get the necessary forms or help to create one or you can contact Customer Service.