

Opinion

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Today is the day to think about health care proxy decisions

Betty Falcão / Guest Column

Who would you want to make decisions about your medical care if you were not able to speak for yourself:

- A) your spouse/partner
- B) a close friend
- C) the courts

Guess what — most New Yorkers, by default, have chosen the courts! Surprised?

Actually, unless you take action and designate a specific person (or alternate), the courts get to decide.

Without a signed health care proxy, you have, in effect, handed the decision over to a judge.

This is very different than the way your money is legally handled. Even if you don't have a will, your belongings go to your next of kin. Not so for your health care decisions; your next of kin does not automatically have this right.

This is also different than in the past where the doctor might have turned to the nearest relative for a decision about what to do.

As the New York State Attorney General Web site notes: "Health care providers often look to family members for guidance. Family members may express what they think your wishes are related to a particular treatment. However, in New York state, only a health care agent you appoint has the legal authority to make treatment decisions if you are unable to decide for yourself."

Most of the time, of course, we are able to speak for ourselves. Even if we're unconscious, it is usually for

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just a short period of time. But we never know when we might have a car accident. And as we grow older, our chances of a heart attack or stroke increase.

So if you're comfortable with letting the courts make this decision, just sit back and do nothing. If you'd rather make sure your spouse, partner or close friend has the right to speak for you, you need to act sooner rather than later.

It can be difficult to choose which person to be your agent. You don't want to be a "burden" to them; it feels weird to talk about comas or feeding tubes; you're not sure your spouse/partner would want to do it, but they might be offended if you chose someone else.

Is any of this easier for your family if you've left them in the position of fighting for your interests before a judge, or of arguing among themselves about what you would have wanted?

To stay in charge, join thousands of Americans today for National Health

Care Decisions Day. Take action to make your future health care decisions known to your family, friends and health care providers. Complete a health care proxy form and have a conversation about it with those important to you.

You can choose among many sources for information and a form. Check out the New York state Attorney General's Office at www.oag.state.ny.us/bureaus/health_care/commonly_requested_forms.htm. Or go to www.sharingyourwishes.org or www.caringconnections.org. Or request free materials from me at bfalcao@hsctc.org. You don't need a lawyer to draw up the document; there are ready-made forms you can use.

Take action with four easy steps:

No. 1. Think about what is important to you and how you want to receive care.

No. 2. Select a person to speak for you if you are unable to speak for yourself.

No. 3. Talk about your health care

wishes, including your values and goals.

No. 4. Put your choices in writing using the New York State Health Care Proxy form.

Only you know what is important to you. The Sharing Your Wishes Planning Guide has ideas to help start a conversation. These include: What gives your life meaning and purpose? What are your fears or worries about the future as you become older and less able to care for yourself? Who, or what, sustains you when you face serious decisions or challenges in your life?

To make it easier to find the document when it is needed, you can store it with a free, secure, confidential online registry at www.assuringyourwishes.org. Only you or your care providers can access the document using your personal password. This service is offered by the local Sharing Your Wishes Coalition in partnership with Cayuga Medical Center at Ithaca.

In closing, you might be telling yourself that it's too depressing to think about. In some ways, though, it is like buying car insurance: You hope you never have to use it; however, it sure is good to have it, just in case.

Betty Falcão leads the Sharing Your Wishes Coalition; more than 22 local organizations participate. She is the Director of the Health Planning Council, a program of the Human Services Coalition of Tompkins County.