

## **DECISIONS CONCERNING YOUR MEDICAL CARE**

This document describes your rights as a patient under Massachusetts law to make decisions about your medical care, to accept or refuse medical or surgical treatment, and to complete a Health Care Proxy. **It is important that you read this carefully, and ask your doctor any questions you may have about your care.**

### **Your Right to Receive Information and to Make Decisions About Your Medical Care**

You have legal rights regarding your medical care. These include:

- the right to receive from your doctor information that you need to make an informed and voluntary decision about whether to agree to a procedure or treatment your doctor recommends;
- the right to receive that information in a way that you can understand; and
- the right to accept or refuse any procedure or treatment, including life-sustaining treatments.

Simply stated, **before** you decide to accept any treatment or procedure, you must be given information including:

- A description of the recommended treatment or procedure, including its risks, benefits, and likely outcome;
- A description of alternative treatments or procedures with their risks, benefits, and likely outcomes, including the likely results of not having any treatment at all;
- The major problems, if any, expected in recovering and the time period during which you might not be able to resume your usual activities;
- Other information usually given by physicians to patients in similar circumstances;
- Other information which would be important for you in making your decision.

### **Health Care Proxy: When You Cannot Speak For Yourself**

There may come a time when, because of an illness or accident, you are not able to make your own decisions. In Massachusetts, if you are at least 18 years old and competent, you may complete a Health Care Proxy form which lets you choose another person (called your Health Care Agent) to make health care decisions for you if you cannot. Your Health Care Agent may act for you only if your doctor determines, in writing, that you are unable to make or communi-

cate your own health care decisions (if you are in a coma, for example). Your Health Care Agent would then have the legal authority to make all health care decisions for you, including decisions about life-sustaining treatment. But the Health Care Proxy Law also allows you to put specific limits on your Agent's authority, if you choose to do so.

The purpose of the Health Care Proxy is to make sure that your wishes are respected if you become unable to decide for yourself. You are not required to complete a Health Care Proxy on admission or at any other time in order to receive medical care from any health care provider. You have the right to receive the same type and quality of health care whether or not you complete a Health Care Proxy.

If you have completed a Health Care Proxy, you should give copies to your doctor and health care facility to put into your medical record. If you have not completed a Health Care Proxy, your health care provider will give you information and a Health Care Proxy form if you ask. Contact \_\_\_\_\_.

### **If You Don't Have a Health Care Proxy**

All adults have the same legal rights to accept or refuse medical care. If you become unable to make or communicate your health care decisions, you still have those same rights. But someone else must then make health care decisions for you. If you have not completed a Health Care Proxy, your family may be asked to make decisions based upon what they believe you would want done. If you have no family, or if there is disagreement about what treatment you would want, a court may be asked to appoint a guardian to make those decisions on your behalf.

Even if you have not completed a Health Care Proxy, you can still write down specific instructions about how you wish to be treated if you become unable to make your own health care decisions. This is sometimes called a "Living Will." These instructions can help other people to know of your wishes regarding future medical treatment.

### **If You Are Under Age 18 (Minors)**

If you are under age 18, your parent or legal guardian usually makes decisions about your medical care. Some minors may legally make health care decisions on their own.

### **Other Laws and Institutional Policies**

Massachusetts also has special protective laws about the involuntary use of electroconvulsive therapy (ECT), the administration of anti-psychotic medications, and commitment to mental health facilities.

Any additional policies of this facility regarding your rights to make medical care decisions are available from \_\_\_\_\_.