

# YOU DECIDE - ADVANCE DIRECTIVES ARE YOUR MEDICAL VOICE by Gene Hoyt JD, MD

*(Editors Note) Dr. Gene Hoyt is a well known physician at Black Hawk Health Clinic. Few people know he is also an attorney. A former Oklahoma Assistant Attorney General, U.S. Air Force Judge Advocate and Trial Judge, he continues to write and lecture about topics in Law and Medicine.*

Who wants to write a Will? No one! It is not pleasant to sit down and think of End of Life issues. But, it should be done by each of us. Like the Will that passes property, your Living Will allows you the opportunity to voice your desire for medical treatment at the end of life. Many think that Living Wills also called Advance Directives are only for the old folks. Not true! Illness and trauma can occur at anytime and at any age. Your voice needs to guide your caregivers through an emotional time. If you have a Living Will you decide on what care you want and spare your family of the grief of decision making. Many people complete Living Wills at the time they devise real and personal property with a traditional Will. The State of Oklahoma provides us with simple and concise forms for Living Wills and Durable Powers of Attorney which I will discuss.

A Living Will is your expression of medical care you want or don't want if you have a terminal illness. The Living Will is a relatively new document. In the past your spouse or other family members spoke for you. But, now you must speak for yourself. If you do not have a Living Will, the state presumes you want all appropriate medical care to include cardiopulmonary resuscitation which may include chest compression, ventilator care to breathe for you, and tube feeding to maintain nutrition. Your family can overcome this presumption only by obtaining a Legal Guardianship over you. You can spare your family of this time consuming and costly legal proceeding by having a Living Will. If you have a Living Will and have appointed a Healthcare Proxy (someone who acts for you) there can be little doubt of your intentions and you save the family much emotion and grief. Your cultural and religious beliefs can also be expressed in your Living Will.

Just as with a property will the maker of a Living Will must be 18 and of sound mind. A Living Will must be witnessed by two disinterested people. As long as you are competent you make your own decisions and your decisions for ongoing care must be followed regardless of your illness or condition. A Living Will

becomes effective only if you are unable to make informed decisions and have a Terminal Condition. A Terminal Condition is defined as an incurable condition from which a person will die within 6 months, even if treatment is administered. Two physicians must certify a Terminal Condition and document in the medical record before a Living will becomes effective. Your medical decision maker, someone you know and trust, is called your Proxy. The Proxy will make all health care decisions in your place. The Proxy must follow all instructions you have given in your Living Will. The Proxy speaks with your voice, Always, Always talk to your Proxy and tell them what you want or don't want as part of your medical care. You should also appoint an Alternate Proxy to act if the primary is unable.

The Oklahoma statute allows you to Will your body or organs for transplant or research and education.

A unique feature of the Oklahoma Living Will statute allows a pregnant woman, who is in a Terminal Condition, through her Proxy, to decline and refuse all life sustaining treatment including respiratory support and nutrition. Through a Living Will a pregnant woman can specifically provide for treatments to be withheld or withdrawn.

Another document you should know of is a Durable Power of Attorney. The term durable means the Power of Attorney will be valid if you can no longer make decisions for yourself. A Power of Attorney may be general or specific. A Durable Medical Power allows your chosen representative to authorize your medical care in other than Terminal Conditions. If you are unconscious from illness or trauma, the Durable Power of Attorney for Healthcare allows your delegate to make decisions on your behalf until you are able to make medical decisions for yourself.

These documents are important to you and to your family. Talk to your family. Talk to your physician and to your attorney. Let your voice be heard through your Living Will and Durable Power of Attorney for Healthcare.

Many articles have been written concerning Advanced Directives. One of the best articles and the article which is the basis of this article is "Your Right to Decide". It is much more complete than my summary and provides you with Oklahoma forms and virtually line by line instructions to complete Living Wills and Durable Powers by yourself. The article is found at [www.senior-law.org](http://www.senior-law.org)



## Sac and Fox Nation Police Department Safety Tips from Tribal Police Chief, Bob Roberts

It is time again to prepare for the possibility of severe weather and be as prepared as we possibly can be. It is always good to be proactive instead of reacting to a situation.

Tornadoes are one of nature's most powerful and destructive forces. Here's some tips on how to prepare for a tornado and what to do if you are caught in a twister's path.

1. Prepare for tornadoes by gathering emergency supplies including food, water, medications, batteries, flashlights, important documents, road maps, and a full tank of gasoline.

2. When a tornado approaches, anyone in its path should take shelter

indoors-preferably in a basement or an interior first-floor room or hallway.

3. Avoid windows and seek additional protection by getting underneath large, solid pieces of furniture.

4. Avoid automobiles and mobile homes, which provide almost no protection from tornadoes.

5. If you are caught outside you need to lie flat in a depression or on other low ground and wait for the storm to pass.

Most tornadoes are 400 to 600 feet wide, travel four or five miles and last just a few minutes. We know in Oklahoma how destructive tornadoes can be, please be prepared.

## Princess Competition

Will Be

Sunday, May 31, 2014

Sac and Fox Nation Community Building

6:00 P.M.

### APPLICATION

Sac and Fox Nation

Miss, Jr. Miss, and Little Miss Sac and Fox Nation Application Due April 30, 2014

Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

#### TRIBAL MEMBER

Sac and Fox Roll No.: \_\_\_\_\_

#### DESCENDANT

If not an enrolled tribal member, please describe Sac and Fox lineage:

\_\_\_\_\_

Parent(s) Name & Tribe: \_\_\_\_\_

Maternal Grandparents Name & Tribe: \_\_\_\_\_

Paternal Grandparents Name & Tribe: \_\_\_\_\_

## ATTENTION TRIBAL MEMBERS

A MEMBER OF THE TAX COMMISSION STAFF WILL NOW BE AT THE SHAWNEE MULTIPURPOSE CENTER TWICE A MONTH.

THE TAX COMMISSION WILL BE THERE ON THE FIRST (1ST) AND THIRD (3RD) THURSDAYS OF EACH MONTH.

WE WILL BE ABLE TO BETTER SERVE TRIBAL MEMBERS LIVING IN THE SHAWNEE AREA WITH MOTOR VEHICLE REGISTRATION AND ANY OTHER SERVICE THAT WE CAN ASSIST YOU WITH.

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With Oklahoma's Promise, the Oklahoma Higher Learning Access Program, 8th, 9th, and 10th grade students whose family income is \$50,000 or less can earn FREE COLLEGE TUITION

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Contact the Oklahoma State Regents for Higher Education by e-mail at [okpromise@osrhe.edu](mailto:okpromise@osrhe.edu) or by phone at 1-8-858-1840 (225-9152 in OKC)

Get an application from your counselor

## ATTENTION

TRIBAL MEMBERS



Sr. Man and Sr. Woman Nominations Due

April 18, 2014

I, \_\_\_\_\_, Roll # \_\_\_\_\_ hereby

nominate the following Man: \_\_\_\_\_

He should be the Sac and Fox Nation Sr. Man because: \_\_\_\_\_

I, \_\_\_\_\_, Roll # \_\_\_\_\_ hereby

nominate the following Woman: \_\_\_\_\_

She should be the Sac and Fox Nation Sr. Woman because: \_\_\_\_\_