



PARSONSLAW
WILLS & ESTATES

ADVANCE HEALTH DIRECTIVE

WHAT IS AN ADVANCE HEALTH DIRECTIVE?

An Advance Health Directive is a formal way to provide instructions for your future healthcare. It will come into effect if you become unable to make decisions for yourself due to illness or incapacity.

An Advance Health Directive outlines what medical treatment or healthcare you would like to receive if you can no longer make such decisions for yourself. It can be general (for example, that you wish to receive all available treatment) or specific (for example, that you wish to decline certain medical treatment).

An Advance Health Directive will also include information that health professionals should know about you, for example any health conditions, allergies and religious, spiritual or cultural beliefs that may affect your care.

You can also give specific instructions about certain medical treatments and outline the quality of life that would be acceptable to you. For example, you might ask that life sustaining measures be withheld or withdrawn in certain circumstances.

WHEN TO MAKE AN ADVANCE HEALTH DIRECTIVE

The best time to make an Advance Health Directive is now, before any urgent health condition arises. It is also important to consider and make an Advance Health Directive if you are about to be admitted to hospital, you have a medical condition that is likely to affect your ability to make decisions in the future or you have a chronic medical condition that could cause serious complications.

HOW DO I MAKE AN ADVANCE HEALTH DIRECTIVE?

An Advance Health Directive must be completed in the prescribed form. Further, part of the form must be completed with your doctor. You will also need the assistance of an appropriately qualified witness who is over the age of 21 and either a Justice of the Peace, Commissioner for Declarations, Lawyer or Notary Public.

It is recommended that you seek legal advice when completing an Advance Health Directive to ensure that you properly understand the nature and effect of this document and the directions given pursuant to it.

This publication is for information only and is not legal advice. You should obtain advice that is specific to your circumstances and not rely on this publication as legal advice. If there are any issues you would like us to advise you on arising from this publication, please let us know.

CAN I CHANGE MY ADVANCE HEALTH DIRECTIVE?

You are able to make changes to your Advance Health Directive at any time, provided you still have the decision-making capacity to do so. It is also recommended that you review your Advance Health Directive every two years or if your health changes significantly.

It is possible for you to revoke your Advance Health Directive, which means you cancel your instructions. This must be done in writing and your signature must be witnessed by an appropriately qualified person.

WHAT HAPPENS IF YOU DON'T HAVE AN ADVANCE HEALTH DIRECTIVE?

If you don't have an Advance Health Directive, your Statutory Health Attorney (namely, a person who is close to you such as your spouse, a family member or friend or the Public Guardian) or alternatively your Attorney appointed for personal matters under an Enduring Power of Attorney, will be able to make most future medical decisions on your behalf.

FURTHER INFORMATION

If you would like further information or to discuss making an Advance Health Directive, please contact Parsons Law.

You can also find further information about Enduring Powers of Attorney, Advance Health Directives and Statutory Health Attorneys here www.publicguardian.qld.gov.au.

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