

A comparison of different types of advance directives

FORM	DESCRIPTION	IS IT LEGALLY BINDING?	DIRECTIVES THAT TAKE PRECEDENCE	NOTES
Health care power of attorney	<p>This form allows you to name a person (called a health care agent or health care proxy) to make health care decisions for you if you are unable to do so yourself.</p> <p>If you complete only one advance directive, it should be this one.</p>	Yes.	<p>As long as you are able to make and communicate decisions, your word overrides anything you've written or told others. Only when you're unconscious or no longer have the capacity to make your wishes known does any advance directive swing fully into effect.</p> <p>Your agent is required to respect your goals and priorities for treatment, as you've described them.</p>	You should also name alternate agents in case your first agent is unavailable or unwilling to serve. This form allows you to do so.
Living Will	<p>This legal document enables you to express your wishes about the kinds of medical care you would like to receive, or would like to avoid, if, at some point in the future, you should be unable to communicate your wishes directly because of illness or incapacitation. It is typically filled in well in advance of having a debilitating illness.</p>	Yes. Living will forms vary from state to state. Although a state may legally be required to honor any advance directive that clearly declares your wishes, it's best to fill out a form that your state recognizes.	<p>Your oral statements take precedence over the living will, as long as you are able to make and communicate your decisions.</p> <p>You can state that the instructions given in your living will are intended as guidance, and your agent has the authority to interpret or modify your instructions in order to carry out what he or she believes are your values and wishes.</p>	At this writing, all states and the District of Columbia permit an advance directive that combines a living will and health care agent appointment.
MOLST or equivalent*	<p>If you already have a serious medical condition or are approaching the end of life, MOLST is more effective than a living will. This is a medical order signed by your doctor after discussion with you or your health care agent about your desires for care.</p>	Yes, in many states. Each state that has adopted a version of MOLST has its own form and its own name for the form.	<p>MOLST complements but does not replace any additional instructions given in a living will or by your health care agent.</p> <p>If your medical condition improves enough for you to make and express your decisions, your oral statements will again take precedence.</p>	Must be signed by a medical doctor or other health care provider to be valid. Complete this if you currently have a terminal illness or are suffering from advanced illness or disability.

*MOLST = medical orders for life-sustaining treatment; MOST = medical orders for scope of treatment; POLST = physician orders for life-sustaining treatment; POST = physician orders for scope of treatment.