



Total Life Choices ***Frequently Asked Questions***

Q. What is an advance directive?

A. An advance directive is a legal document that allows a person to make their health care choices known in advance of an incapacitating illness or injury. Although laws vary from state to state in America, there are two main types of directives:

- A **living will** is a legal document in which you state the kind of health care you want or don't want in the event you become very ill and there is no reasonable hope for recovery.
- A **health care proxy** (or durable health care power of attorney) is a legal document in which you name someone close to you to make decisions about your health care in the event you become incapacitated.

Q. Why do I need an advance directive?

A. Advance directives give you a voice in decisions about your medical care when you are unconscious or too ill to communicate. As long as you are able to express your own decisions, your advance directive will not be used and you can accept or refuse any medical treatment. But if you become seriously ill, you may lose the ability to participate in decisions about your own treatment. That's when your advance directive becomes important.

Q. Should an individual have both types of advance directives?

A. Ideally, yes. You can have a health care proxy that names a health care agent and a living will to help guide the agent in making the decisions. Some individuals, however, do not have anyone to name as their agent, so s/he should complete a living will and be as specific as possible. Others prefer to have just a health care proxy and discuss their wishes with their agent. We recommend that individuals complete a health care proxy if at all possible as there is currently no surrogate decision-making under New York state law.

Whatever you decide, your advance directive should be easily accessible. That's why we recommend registering both documents with the U.S. Living Will Registry®, so that they are included in a secure online database.

Q. When does an advance directive become effective?

A. A living will and health care proxy will become effective only when you are incapacitated and unable to make communicate your wishes regarding your care.

Q. How do I register my advance directive in the U.S. Living Will Registry®?

A. To submit advance directives for registration, you or your social service provider may send the documents along with the U.S. Living Will Registration Agreement by either of the following methods:

- **FAX** to 212.750.0820 to the attention of “**Total Life Choices**”
- **MAIL** to:

**Total Life Choices
New York Legal Assistance Group
450 W. 33rd Street, 11th Floor
New York, New York 10001**

Additional advance directive forms and registration materials can be obtained online at www.nylag.org or by calling 212.371.6873.

Q. How does Total Life Choices work?

A. A TLC attorney will first review your documents to ensure they are legally sufficient. Your advance directive(s) is then scanned into the U.S. Living Will Registry® so that an exact image of your document is stored. Once registered, you will be sent a confirmation letter in addition to labels for your driver's license and insurance card, stating that you are registered, and a wallet card listing your Registration #. Health care providers can contact the computer on the telephone or via a secure Internet web site, and request a copy of your advance directive. The computer sends a copy to the provider, and it is kept as part of your confidential medical record. If you don't have your card, the health care provider can still access your document using your social security number (health care providers almost always have your social security number because they use it for billing purposes).

Your document is stored and transmitted in the safest way possible to insure your privacy. You will have peace of mind knowing that your advance directive is safe, secure and available to your family and doctors whenever and wherever it is needed. And because health care providers can contact the Registry to see if any patient has an advance directive, they can retrieve your document even if they don't have your card.

Q. How much does it cost to register?

A. Registration is completely free. TLC provides this service without charge so that everyone can participate.

Q. What if I change my mind?

A. You can revoke your health care proxy and/or living will at any time while you are competent by informing your agent or physician that you have changed your mind. You must notify the Registry in writing if you change or revoke your advance directive in which case your old directive will be destroyed and your new document will be registered. Moreover, the U.S. Living Will Registry® automatically sends annual reminder letters to confirm that your information is up-to-date.

To change your advance directive(s): Simply fill out a new health care proxy and/or a new living will form and mail everything directly to the Registry. They will automatically replace the new documents with the existing ones. If you would like to revoke a document entirely, provide instructions in the form of a letter. All documents should be mailed to:

U.S. Living Will Registry
523 Westfield Ave., P.O. Box 2789
Westfield, NJ 07091-2789

Q. Will my advance directive be honored if I become ill in another state?

A. All 50 states and the District of Columbia have laws recognizing the use of advance directives (i.e., living wills, medical powers of attorney). The majority of states will recognize a New York State health care proxy and living will and most states also have reciprocity provisions. However, if you spend a great deal of time in more than one state you might want to consider executing an advance directive specifically worded to meet each state's requirements to best protect your interests.

Q. I am worried about my advance directives not remaining confidential. What safeguards are in place to protect my privacy?

A. Your advance directive is a legal document and its privacy and confidentiality must be protected. In the Registration Agreement, it is clearly stated "Registry is not authorized to share my personal information with parties other than health care providers." Health care providers (as defined by federal regulations on advance directives) are hospitals, doctors, skilled nursing facilities, nursing facilities, home health agencies, providers of home health care, ambulatory surgery facilities, and hospices. Once transmitted to a provider, your advance directive becomes part of your medical record. Law protects the privacy of medical records.

The Registry does not share or sell your personal information and no identifying information is collected from this web site.

Q. What if I already have an advance directive? Do I have to complete a new one to participate in Total Life Choices?

A. No. Just as long as a NYLAG attorney reviews the documents and finds them legally sufficient, your existing forms can be uploaded into the database after you fill out a registration form.

Q. How do I access my advance directives once they are stored in the Registry?

A. You can visit the website at www.uslwr.com and access the documents by entering the "Source" and the "Registration #," both of which are listed on the Registry ID card you receive in the mail. If you do not have the card with you and a hospital/medical facility needs to access the documents, they can do so by calling 1.800.LIV.WILL (548.9455).

Q. I don't have a U.S. Social Security Number. Can I still participate in the Registry service?

A. Yes. Individuals without a SSN can either leave this section of their Registration form blank or write that they do not have a SSN. An account number will be generated randomly and assigned to the individual.

Q. Can registered individuals have their directives accessed if they are admitted to a hospital outside of the U.S.?

A. Mostly yes. The Registry already has numerous Foreign Service employees registered who are regularly out of the country. In the event they are admitted to a hospital overseas, the Registry would use similar verification methods to ensure that person requesting the information is from a legitimate medical institution. This may be more difficult in countries with less developed information technology systems.

Q. What if I do not have access to a computer or am not comfortable using the internet, should I still store my advance directives electronically?

A. Individuals without internet access can make full use of this service. All advance directives must be mailed or faxed to us so there is no need for the internet. Doctors, health care facilities and anybody else with whom you share your registration number can download your documents from the internet, but there are also alternative methods of obtaining them from the Registry.

NYLAG & the U.S. Living Will Registry®

About NYLAG

Founded in 1990, the New York Legal Assistance Group (NYLAG) is a not-for-profit law office providing free civil legal services to low income New Yorkers. A full service agency, NYLAG offers comprehensive assistance to clients with more than one legal issue. NYLAG provides direct legal services, advocacy through impact litigation, consultation, and numerous volunteer and pro bono opportunities. Last year, NYLAG handled 19,993 cases and benefited additional thousands through successful impact litigation and community legal education. For more information on NYLAG, go to www.nylag.org.

NYLAG is a beneficiary of UJA-Federation of New York and is supported by numerous foundations, organizations and individuals.

About the U.S. Living Will Registry®

Established in 1996, the U.S. Living Will Registry® electronically stores advance directives and organ donor information, and makes them available 24 hours a day to hospitals and health care providers. Information on advance directive and state-specific forms can be found on the Registry's website. For more information on the Registry, visit www.uslivingwillregistry.com, or call 1.800.LIV.WILL.