

## **LIVING WILL**

### **Florida Statute 765**

The Florida Living Will is a legally binding document that allows you to state your wishes about health care in the event you are in a persistent vegetative state, have an end-stage condition or develop a terminal condition, and when your primary care physician has determined that there is no reasonable medical probability of recovery from such condition. The Living Will goes into effect when your physician determines that you have one or more of these conditions and that you are no longer able to make your own health care decisions.

“End-stage condition” means you have an irreversible condition caused by injury, disease, or illness, which has resulted in progressively severe and permanent deterioration and which, to a reasonable degree of medical probability, treatment of the condition would be ineffective.

“Terminal condition” means a condition caused by injury, disease, or illness from which there is no reasonable medical recovery and which, without treatment, can be expected to cause death.

“Persistent vegetative state” means a permanent and irreversible condition of unconsciousness in which there is the following:

- (a) The absence of voluntary action or cognitive behavior of any kind;
- (b) An inability to communicate or interact purposefully with the environment.

“Life-prolonging procedures” means any medical procedure, treatment, or intervention, including artificially provided sustenance and hydration which sustains, restores, or supplants a spontaneous vital function. The term does not include the administration of medication and/or performance of a medical procedure when such procedure or medication is deemed necessary to provide comfort care and to alleviate pain.

Your surrogate is the person you appoint to make health care decisions for you if you become unable to make those decisions yourself. This individual may be your spouse, a family member or a close friend whom you trust to make health care decisions on your behalf. The individual/individuals named as your surrogate should understand your wishes and be willing to accept the responsibility of making health care decisions for you. Communication is key.

Living Will requirements may vary from state to state; therefore, it is important to have a Living Will prepared in the State of Florida if this is your primary residence and where you seek medical care.

Do not confuse a DNR (Do Not Resuscitate Order) with a Living Will. The DNR is issued by a physician and is always on Yellow Paper. The DNR tells hospitals, doctors and health care providers to not resuscitate when certain conditions occur because your quality of life will not be sufficient after resuscitation.