

Medicare Minute Script – August 2016 Planning Ahead: Advance Directives and Long-term Care

This Medicare Minute will discuss ways to create documents that express your wishes for future health care if you are unable to make or communicate decisions yourself. Taking a few steps now can help ensure that your wishes are honored in the future.

Point 1: Know the different types of advance directives.

An advance directive is a written statement that explains how you want medical decisions to be made if you are unable to make them for yourself, including who you would like to make these decisions. If you do not create an advance directive and are unable to make decisions on your own behalf, state law will operate to give this authority to someone else, usually a relative. That person will then make choices about your medical care. Advance directives may take the form of a health care proxy, durable power of attorney, or living will. Make sure to update your directive periodically to reflect changes in your medical condition or treatment preferences.

A **health care proxy** is a document that appoints another person (called a proxy or agent) to make health care decisions for you if you are unable to do so. You should revisit your health care proxy document periodically to make sure your agent is still the person you want to make decisions on your behalf. If your preference changes, you can make changes to the document.

A **durable power of attorney** is a document that appoints another person as your agent to make health, financial, and other legal decisions on your behalf, such as paying for health care, choosing health insurance policies for you, and appealing coverage denials. The person you appoint does not need to be a lawyer, and when you create the document, you can choose which powers or authorities you want him or her to have. Because a durable power of attorney document can give your agent the right to make financial decisions—including withdrawing money from your bank account—think carefully about who you choose. Remember that a durable power of attorney can be revoked, which means “cancelled,” or changed whenever you choose.

A **living will** describes the type of care you’d like to receive in specific situations if you are incapacitated. It is also known as a directive to physicians, a health care declaration, or a medical directive. The living will provides information for your physician and does **not** appoint an agent to make decisions for you. For example, you can use a living will to express your desire to not be resuscitated if your illness or injury progresses to a certain stage, to state that *all* viable medical options are to be used as aggressively as possible in *all* situations, or to state that *certain treatments* should not be administered under any circumstances.

Regardless of the form you use, make sure to share copies with your health care providers and the family members or friends who may be responsible for making decisions about your care.

Point 2: Know how to plan for long-term care.

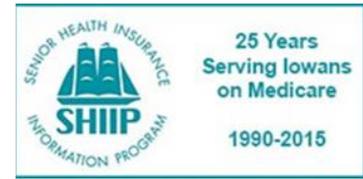
Long-term care refers to a range of medical, personal, and social services designed to meet your needs if you have a disability, chronic illness, or limitations in your ability to function independently. Care may be delivered at home, in a nursing home, adult day care facility, or other facility and can involve both skilled and custodial care. Some people choose to purchase long-term care insurance to assist with the cost of this type of care, since Medicare coverage for skilled care in a facility and at home is limited. These policies may

Distributed by IOWA SMP 1-800-423-2449

SHIP National Technical Assistance Center: 877-839-2675, www.shiptacenter.org | info@shiptacenter.org

SMP National Resource Center 877-808-2468 | www.smpresource.org | info@smpresource.org

© 2016 Medicare Rights Center | www.medicareinteractive.org | *The Medicare Rights Center is the author of portions of the content in these materials, but is not responsible for any content not authored by the Medicare Rights Center.*



be expensive if you are older when you purchase them and may have waiting periods before coverage begins. Read policy documents carefully before purchasing. Some people may be eligible for Medicaid if they meet the income and asset limits. Medicaid covers long-term care services that Medicare does not.

Point 3: Understand Medicare’s rules about accessing personal health information.

To give your health care proxy or other representative access to your health records, fill out and submit a **Medicare Authorization to Disclose Personal Health Information form**. It is available online at www.Medicare.gov. If you have difficulty completing the form online, call 1-800-MEDICARE (1-800-633-4227). The customer service representative can help submit the form electronically while you are on the phone. By law, Medicare must have your written permission, called an “authorization,” to share your personal medical information with others. A durable power of attorney form functions as this written permission, but you need to fill out a separate form for each person who may be helping you.

Take Action:

- 1) Keep an original copy of your advance directives in your wallet or purse, and give a copy to your health care providers and your appointed family member, agent, proxy, or other advocate.
- 2) Fill out and submit a Medicare Authorization to Disclose Personal Health Information form to ensure your loved ones have access to your health records to better advocate for your care.
- 3) Contact your SHIP for one-on-one counseling to understand your long-term care options and the rules of advance directives in your state.
- 4) Contact your Senior Medicare Patrol (SMP) for assistance with reporting suspected fraud, errors, and abuse in the billing of long-term care services.
- 5) Update your advance directives periodically to reflect changes in your medical condition or treatment preferences.

Iowa SHIP	Iowa Senior Medicare Patrol (SMP)
SHIP toll-free: 1-800-351-4664	SMP toll-free: 1-800-423-2449
SHIP email: shiip@iid.iowa.gov	SMP email: iowaSMP@nei3a.org
SHIP website: www.therightcalliowa.org	SMP website: www.iowasmp.org
To find a SHIP in another state: Call 877-839-2675 or visit ww.shiptacenter.org .	To find an SMP in another state: Call 877-808-2468 or visit www.smpresource.org .

The production of this document was supported by Grant Numbers 90ST1001 and 90NP0003 from the Administration for Community Living (ACL). Its contents are solely the responsibility of the SHIP National Technical Assistance Center (SHIP TA Center) and Senior Medicare Patrol National Resource Center and do not necessarily represent the official views of ACL.

Distributed by IOWA SMP 1-800-423-2449

SHIP National Technical Assistance Center: 877-839-2675, www.shiptacenter.org | info@shiptacenter.org

SMP National Resource Center 877-808-2468 | www.smpresource.org | info@smpresource.org

© 2016 Medicare Rights Center | www.medicareinteractive.org | *The Medicare Rights Center is the author of portions of the content in these materials, but is not responsible for any content not authored by the Medicare Rights Center.*