ADVANCE MENTAL HEALTH CARE DIRECTIVE

Explanation

You have the right to give instructions about your own mental health care. You also have the right to name someone else to make mental health treatment decisions for you. This form lets you do either or both of these things. It also lets you express your wishes regarding the designation of your health care providers. If you use this form, you may complete or modify all or any part of it. You are free to use a different form.

Part 1 of this form is a list of options you may designate as part of your mental health care and treatment. For ease of designating specific instructions, mark those options in Part 1.

Part 2 of this form is a power of attorney for mental health care. This lets you name another individual as your agent to make mental health treatment decisions for you, if you become incapable of making your own decisions. You may name alternate agents to act for you if your first choice is not willing, able, or reasonably available to make decisions for you. Unless related to you, your agent may not be an owner, operator, or employee of a health care institution where you are receiving care.

You may allow your agent to make all mental health treatment decisions for you. However, if you wish to limit the authority of your agent, you may specify those limitations on the form. If you do not limit the authority of your agent, your agent will have the right to:

(1) Consent or refuse consent to any care, treatment, service, or procedure to maintain, diagnose, or otherwise affect a mental condition;

(2) Select or discharge health care providers and institutions;

(3) Approve or disapprove diagnostic tests, surgical procedures, and programs of medication; and

(4) Approve or disapprove of electroconvulsive treatment.

Part 3 of this form lets you give specific instructions about any aspect of your mental health care and treatment. Choices are provided for you to express your wishes regarding the provision, withholding, or withdrawal of medication and treatment. Space is provided for you to add to the choices you have made or for you to write out any additional wishes.

Part 4 of this form must be completed in order to activate the advance mental health care directive. After completing this form, sign and date the form at the end and have the form witnessed by one or both of the two methods listed below. Give a copy of the signed and completed form to your physician, to any other health care providers you may have, to any health care institution at which you are receiving care, and to any mental health care agents you have named. You should talk to the persons you have named as agents to make sure that they understand your wishes and are willing to take the responsibility.

You have the right to revoke this advance mental health care directive or replace this form at any time, unless otherwise specified in writing in the advance mental health care directive.

If you are in imminent danger of causing bodily harm to yourself or others, or have been involuntarily committed to a health care institution for mental health treatment, the advance mental health care directive will not apply.

PART 1

CHECKLIST OF MENTAL HEALTH CARE OPTIONS

NOTE TO PROVIDER: The following is a checklist of selections I have made regarding my mental health care and treatment. I include this statement to express my strong desire for you to acknowledge and abide by my rights, under state and federal laws, to influence decisions about the care I will receive.

(Declarant: Put a check mark in the left-hand column for each section you have completed.)

Designation of my mental health care agents(s).
Authority granted to my agent(s)
My preference for a court appointed guardian.
My preference of treating facility and alternatives to hospitalization.
My preferences about the physicians or other mental health care providers who will treat me if I am hospitalized.
My preferences regarding medications.
My preferences regarding electroconvulsive therapy (ECT or shock treatment).
My preferences regarding emergency interventions (seclusion, restraint, medications).
Consent for experimental drugs or treatments.
Who should be notified immediately of my admission to a facility.
Who should be prohibited from visiting me.
My preferences for care and temporary custody of my children or pets.
Other instructions about mental health care and treatment.

PART 2

DURABLE POWER OF ATTORNEY FOR MENTAL HEALTH TREATMENT DECISIONS

1 DESIGNATION OF AGENT: I designate the following individual as my agent to make mental heath care decisions for me.

	(name of individ	lual you choose as agent)	
Address:			
City		State	Zipcode
Home Phone		Work Phone	
OPTIONAL:		y or if my agent is not willing, able for me, I designate as my first alte	e, or reasonably available to make ernate agent:
	(name of individual you	u choose as first alternate agent)	
Address:			
City		State	Zipcode
Home Phone		Work Phone	
OPTIONAL:		y or if my agent and first alternate a mental health care decision for	÷
	(name of individual you o	choose as second alternate agent)
Address:			
City		State	Zipcode
Home Phone		Work Phone	
decisions to pr		dication and treatment, and all oth	reatment decisions for me, including her forms of mental health care, exce

3 WHEN AGENT'S AUTHORITY BECOMES EFFECTIVE: My agent's authority becomes effective when my supervising health care provider who is a physician and one other physician or licensed psychologist determine that I am unable to make my own mental health care decisions.

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- 4 AGENT'S OBLIGATION: My agent shall make mental health care decisions for me in accordance with this power of attorney for mental health care, any instructions I give in Part 2 of this form, and my other wishes to the extent known to my agent. To the extent my wishes are unknown, my agent shall make mental health care decisions for me in accordance with what my agent determines to be in my best interest. In determining my best interest, my agent shall consider my personal values to the extent known to my agent.
- 5 NOMINATION OF GUARDIAN: If a guardian of the person needs to be appointed for me by a court, I nominate the agent designated in this form. If that agent is not willing, able, or reasonably available to act as guardian, I nominate the alternate agents whom I have named, in the order designated.

PART 3

INSTRUCTIONS FOR MENTAL HEALTH CARE AND TREATMENT

If you are satisfied to allow your agent to determine what is best for you, you need not fill out this part of the form. If you do fill out this part of the form, you may strike any wording you do not want.

- **6** My preference of treating facility and alternatives to hospitalization:
- 7 My preferences about the physicians or other mental health care providers who will treat me if I am hospitalized:
- 8 My preferences regarding medications:
- 9 My preferences regarding electroconvulsive therapy (ECT or shock treatment):
- **10** My preferences regarding emergency interventions (seclusion, restraint, medications):
- **11** Consent for experimental drugs or treatments:
- **12** Who should be notified immediately of my admission to a facility:
- **13** Who should be prohibited from visiting me:
- 14 My preferences for care and temporary custody of my children or pets:
- **15** My preferences about revocation of my advance mental health care directive during a period of incapacity:
- **16** OTHER WISHES: (If you do not agree with any of the optional choices above and wish to write your own, or if you wish to add to the instructions you have given above, you may do so here.) I direct that: (add additional sheets if necessary)

PART 4 WITNESSES AND SIGNATURES

17 EFFECT OF COPY: A copy of this form has the same effect as the original.

18 SIGNATURES: Sign and date the form here:

			·	
	(Sign your name)		(Date)	
	(Print your name)			
		(Address)		
		· · ·		
(City)		(State)	
by two qualified adu		onally known to you and	tal health care decisions unless it is o d who are present when you sign or a	
	AF	FIRMATION OF WITN Witness 1	ESSES	
personally known to appears to be of sou this document, and to the principal by bl	me, that the principal sign und mind and under no du that I am not a health care	ed or acknowledged th ress, fraud, or undue in provider, nor an emplo n, and to the best of my	2, Hawaii Revised Statutes, that the is power of attorney in my presence, fluence, that I am not the person app yee of a health care provider or facili knowledge, I am not entitled to any ng or by operation of law.	that the principa pointed as agent ity. I am not rela
	(Sign your name)		(Date)	
	(Print your name)			
		(Address)		
(City)	Witness 2	(State)	
I declare under pena personally known to appears to be of sou this document, and to the principal by bl	alty of false swearing pursu me, that the principal sign und mind and under no du that I am not a health care	uant to section 710-106 ned or acknowledged th ress, fraud, or undue in provider, nor an emplo n, and to the best of my	2, Hawaii Revised Statutes, that the is power of attorney in my presence, fluence, that I am not the person app yee of a health care provider or facili knowledge, I am not entitled to any	that the princip pointed as agen ity. I am not rela
I declare under pena personally known to appears to be of sou this document, and to the principal by bl	alty of false swearing pursu me, that the principal sign und mind and under no du that I am not a health care lood, marriage, or adoptior	uant to section 710-106 ned or acknowledged th ress, fraud, or undue in provider, nor an emplo n, and to the best of my	2, Hawaii Revised Statutes, that the is power of attorney in my presence, fluence, that I am not the person app yee of a health care provider or facili knowledge, I am not entitled to any	that the princip pointed as agen ity. I am not rela

(Address)

DECLARATION OF NOTORY

State of Hawaii County of			
On this	day of	, in the year	3
before me,		(insert name of notary public) appeared	
		, personally known to me (or proved to me on	the basis of satisfactory evidence) to

be the person whose name is subscribed to this instrument, and acknowledged that he or she executed it.

NOTARY SEAL

(Signature of Notary Public)