

# CALIFORNIA RIGHT TO LIFE EDUCATION FUND

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## **Advance Directive: Protective Medical Decisions Document**

*Imagine you are in an accident tomorrow and so seriously injured that you aren't able to communicate about your health care wishes for several weeks. Who would make health care decisions for you during that time? Would those decisions protect you until you could make your wishes known?*

**Alex, a 57-year old truck driver:** While mowing the lawn, he has a heart attack. Due to a lack of oxygen, he has sustained brain damage. He hasn't named anyone to make health care decisions, but he lives in a state with a priority listing that gives his wife, Anna, first priority in making his decisions. Anna knows that Alex would not want a ventilator but would want to be tube fed if necessary.

Alex is breathing on his own and is being fed by tube. His brother, Dave, objects to the tube feeding. The doctor in charge of Alex's care thinks the tube feeding should be stopped.

In the state where Alex and Anna live, the attending physician or an advanced practice nurse can select a decision-maker who is ranked lower in priority if, in his or her judgment, that person is "better qualified." Because Dave agrees with him, the doctor decides Dave is better qualified than Anna to make decisions.

**Joe and Sally are married with three children** – 15-year-old Bob, 18-year-old Tom and 20-year-old Mary. Driving home from a local restaurant, Joe and Sally are hit head-on by another car. Joe is killed. Sally is in critical condition.

Sally's twin sister, Sue, who is very close to Sally and with whom Sally had often discussed her wishes about health care, rushes to the hospital. She attempts to get information about Sally's condition. She is told the law

prohibits disclosing such information to her. Instead, the information can be given to Tom and Mary who, under state law, have the authority to make medical decisions for their mother.

Unfortunately, Tom and Mary do not get along with each other, and the law requires agreement between them before any action can be taken. This leads to a delay in authorizing treatment that could have vastly improved Sally's ability to recover fully.

Of all the life issues, end of life issues are perhaps the most universal, and sometimes the most challenging. Many of us will never be called upon to make a choice regarding a baby in the womb or the future of an IVF embryo... but we will all one day have to face death. Like everything else in life, preparation and communication makes it easier for everyone involved. A durable power of attorney for health care is one of the best methods for making sure everything is in place should you become unable to voice your preferences.

In a durable power of attorney for health care, you designate a trusted family member or friend to make health care decisions for you if you are unable – either temporarily or permanently – to do so for yourself.

Most people think such a document is only for those who are very sick or very old. That's not true. **It's absolutely essential for anyone who is 18 years old or older.**

**A Durable Power of Attorney for health Care is absolutely essential for anyone who is 18 years old or older.**

Some (but not all) states have laws to cover a patient who hasn't designated someone to make health care decisions. Such laws contain a "priority listing" of those who can make decisions for an incapacitated patient. But in some states, those decisions may be limited to withholding or withdrawing treatment. They may not give the necessary authority to protect a patient. In other states, the law gives doctors the power to decide for patients if there are conflicts among those on the list.

Protective Medical Decisions Document (PMDD) is a Durable Power of Attorney for Health Care.

The following are some of the reasons that a Protective Medical Decisions Document (PMDD) is necessary:

1. Federal regulations require every hospital and health program that receives any Medicare or Medicaid funds to inform you, upon admission, of your rights regarding an advance directive. As a result, many facilities are giving patients a Living Will (a dangerous document – contact our office for further information on why you must never sign a “living will”) or Durable Power of Attorney to sign at the time of admission — when you’re naturally under stress and you’re filling out other paperwork.

2. Many hospitals are instituting “futile care” guidelines which may preclude the wishes of a patient who is unable to communicate. The PMDD specifically states that the meanings of “beneficial” and “appropriate” care are to be left to the agent who knows the values and wishes of the signer.

3. An effort is underway across the country to add euthanasia and assisted suicide to end of life options. The PMDD specifically prohibits euthanasia and assisted suicide.

4. Previously, family members were automatically considered the decision makers for a loved one. This is rapidly changing. Unless you have named someone as your agent to make decisions for you if you can’t give informed consent, a health care provider or court appointed guardian who doesn’t know your values and wishes may make critical decisions for you.

5. Ever since the federal Health Insurance Portability and Accountability Act (HIPAA) went into effect, some health care facilities have refused to provide information to anyone – even family members – about a hospitalized adult unless the patient has given written consent. The PMDD gives your agent the authority to obtain necessary information in the event that you are

unable to give written consent at the time of hospitalization.

### **How does the PMDD differ from a “Living Will”?**

A “Living Will” is a document, often called a “declaration” or a “directive,” in which the signer gives power and authority to an “attending physician” to withhold or withdraw medical interventions under certain circumstances. Because the “attending physician” may be a total stranger who is completely unfamiliar with the signer’s values and wishes, terms in the document may be interpreted by the physician in a manner that was not intended by the signer. Also, with the Living Will, family members and others — who are familiar with the signer’s values and wishes — have no legal standing to interpret the meaning of the directive.

**Taking the time now to sign a PMDD will assure you that you have carefully chosen the family member or friend who will protect your best interests if you can’t speak for yourself.**

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PMDD packets are available from the Patient’s Rights Council PO Box 760 – Steubenville, OH 43952

Phone: 740-282-3810 Toll Free: 800-958-5678

Each packet contains a question and answer sheet, a checklist, three PMDD documents and a Protective Identification Card.

To obtain a PMDD packet, phone the Patient’s Rights Council (800-958-5678 or 740-282-3810) between 8:30am and 4:30pm (Eastern time).

Be sure to designate which version of the PMDD (Multi-state or AK, AL, CA, CT, DE, FL, HI, IN, MI, MN, MO, NC, ND, NE, NH, NV, OH, OK, OR, SC, TX, VT, WV or WI) you want.

There is no charge for the PMDD. However a donation of \$10 is requested, but not required, for each packet.

**Do you know someone who might be considering abortion?  
Make sure they get the facts first!  
A LIFE depends on it...  
1-800-395-HELP (4357)**

## Around the Office

Cecelia Cody, Administrative Director

First a bit of “housekeeping... several of our members have called us to say that mail sent to our P.O. Box 4343 in Walnut Creek, CA has been returned as undeliverable. We have NOT changed delivery locations! When the mail is re-sent, it seems to go through. I have talked to the post office, and they are looking into the matter. If you have mail returned, please contact our office at 925-944-5351 or by e-mail [callife@calright2life.org](mailto:callife@calright2life.org) so we can make the post office aware of the problem.

And now for the main event: I’m being replaced! I knew it was bound to happen eventually.... The youth have taken over the information tables for life at the shopping malls. They still let me order the supplies, and load the materials to bring to the mall; however, they usually don’t even let me sit at the table anymore! There are so many of them, there is no room for me. Actually I am thrilled at this occurrence as they are much better able to talk “peer-to-peer” with other youth about life issues. And we may even need to schedule need more venues and times so that they each get a chance to serve at a table at least once a month.

However that doesn’t mean I’ve been totally “retired from the public realm.” The Combined Federal Campaign and United Way payroll giving campaigns continue to keep me busy with information tables. As the weather cools, the events have moved indoors, which is fine with me! I talk to at least 100 people on an average day, distribute lots of literature, precious feet pins, and the most popular item – the “precious preborn” models. We’ve become known as “the group with the babies.”

We will never know how many lives may be saved by the youth at the mall tables, and these charitable giving campaign events. Your donations allow us to be there and to distribute all the materials.

Occasionally in a student interview I am asked, “How much does an abortion cost?” To which I answer: “One human life ended, and one wounded.” On the other side of the equation, for less than a dollar we can give someone a precious feet pin, or a precious preborn model, and as we have reported in previous newsletters, that precious preborn model has been known to save lives!

## Student Corner

By the various mall table student volunteers

Guilty as charged! Yes, we the students of the pro-life movement have sent Cecelia Cody packing and taken over the Information Tables for Life. However it wasn’t “euthanasia.” We continue to make sure she is fed and hydrated throughout our takeover of the mall table.... In fact she gets more food and hydration than in the “old days” when she sat at the table, sometimes all alone for most of a day. We sometimes even give her reading materials to keep her occupied as she wanders the mall and visits Starbucks or has a meal break. And she returns the favor, giving us the latest literature she has brought for the table, so we are familiar with what is new.

As November is the month of Thanksgiving, we would like to dedicate this column to some of the many people who make our pro-life efforts possible.

We want to thank all those who train us, and continue to guide us. This includes Mrs. Durling and Mrs. Hockel, who facilitate our participation in Survivors in Los Angeles each summer, and of course all the people involved in Survivors Camp. We thank our school faculty pro-life club advisors, and the teachers who have invited us to speak to their classes. We'd also like to thank David Zarri for accompanying us on our first prayer vigil at an abortion clinic! (more about that in next month’s column)

We thank our parent “chauffeurs” for their willingness to bring us and pick us up from our various pro-life venues, and even join us for things like Walk for Life West Coast each January.

And we thank all of you who have donated and continue to donate funds so we have materials to hand out both at the mall tables and at our school events. We have the time, and a passion for saving babies; however, our funding resources are extremely limited. Our parents have given us so much already, so we hesitate to ask for funds for pro-life supplies. It has been a little difficult on our pro-life groups, but luckily [Cecelia] has provided us with the resources we need to jump start us into making a difference in the pro-life cause. We have been able to be a positive influence on campus. Our club size has increased significantly, more than doubling its original size. With fresh recruits, we look forward to future events with a renewed passion for the shared cause.

**Saturday, January 21, 2012**  
**8<sup>th</sup> Annual Walk for Life**  
**Civic Center Plaza San Francisco**

*New venue and new route this year!*

The Rally will be held at Civic Center Plaza from 12:30 – 1:30 pm. Our confirmed speakers include: African-American pro-life activist Mrs. Lori Hoyer; obstetrician/gynecologist Dr. Vansen Wong; the Reverend Cleon Childress, Director of L.E.A.R.N.; and Ms. Jacquie Stalnaker, a post-abortive woman and *Silent No More* Regional Coordinator.

After the Rally (at 1:30 pm), we will begin walking from Civic Center Plaza and will process down Market Street to end at Justin Herman Plaza at the Embarcadero. The Walk from Civic Center Plaza to Justin Herman Plaza is approximately 1.8 miles.

More info: <http://www.walkforlifewc.com/>

*See [www.calendarforlife.org](http://www.calendarforlife.org) for the most up to date listing of activities and events happening in your area. Have you visited the website lately? It is totally “remodeled” to be even more user friendly and informative.*

**WHO IS CALIFORNIA RIGHT TO LIFE?**

This is the newsletter of **California Right to Life Education Fund**, a 501-c-3 organization established to educate the public about pro-life issues. Donations to the EDUCATION FUND are **tax-deductible** and can be sent to P.O. Box 4343, Walnut Creek, CA 94596-0343.

California Right to Life **Committee, Inc.** is a 501-c-4 organization providing information on legislative issues affecting the right to life, and pro-life political advocacy. **CRLC, Inc. is not permitted**, under IRS regulations, to offer a tax deduction for donations. \$24.99 annually is requested for a subscription to the CRLC legislative email updates list and can be sent to 1920 Monument Blvd #309, Concord, CA 94520.

Both are affiliates of American Life League, headed by Judie Brown, and share the same “no-exceptions, no excuses” beliefs and the same dedication to promoting the Culture of Life, respecting all innocent human life from the single-cell stage to natural death.

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