



ADVANCE
DIRECTIVES
AND THE
MILITARY

Due to military members and their families frequently moving from state to state, federal law makes advance directives written for military members and their families valid in all states that that have an Advance Directive law in effect.

ORGAN
DONATION
AND LIVING
WILLS

North Dakota State law allows you to make organ donation a part of your Advance Directives.



Living wills are written instructions that explain your wishes regarding health care, should you have a terminal condition. They are called living wills because they take effect while you are alive. A Durable Power of Attorney (POA) is a written document that allows you to name a person to make decisions for you if you become unable to do so. Thus, if you are unconscious or in a coma, the named attorney-in-fact can tell the doctors what care to give you. The named person becomes authorized to make decisions only if you are unable to do so, but without the POA, your treating physician would be legally authorized to determine your care based on their idea of what is best for you. To cancel or change a living will, simply destroy the original document (which is maintained in your medical record) and tell your family, attorney, and doctor that you have cancelled or changed the directive.



5TH MEDICAL
GROUP
MINOT AFB, ND



Advance Medical Directives

*Your Wishes For Future
Medical Care*



5TH MEDICAL GROUP
MINOT AFB, ND

Protect your right to choose or refuse medical treatment

Patients have the right to participate in decisions regarding their medical care. Under the direction of the Patient Self-Determination Act, our facility is required to inform you of the opportunity to express your wishes regarding medical care in the event of a terminal or incapacitating illness. North Dakota State law permits you to make your wishes known through the use of Living Wills and Durable Power of Attorney, also known as Advance Directives.

The 5th Medical Group shall not discriminate against an individual based on whether or not the person executed an Advance Directive. The completion of an Advance Directive is an option, and the lack of an Advance Directive will not hamper appropriate medical care.



STATUTES

North Dakota Statutes recognize the legal right of any competent adult (18 years old or older) to make a written Living Will instructing their physician to withhold or withdraw life-sustaining procedures when the patient is in a terminal condition or is permanently unconscious. Under the statutes, the only additional directions regarding health care a patient may make are the decisions to receive or decline nutrition (food and water) and donate organs.

North Dakota law also permits you to appoint a health care agent (the attorney-in-fact) to make decisions on your behalf, through the Durable Power of Attorney for Health Care. You can use this document to ensure you receive all the possible health care available, or to ensure that you do not receive any unwanted care, when you are unable to make your own health care decisions.

LIMITATIONS

There are two limitations placed on your right to make these decisions:

- Certain regulations limit the rights of military members to refuse care. In addition, treatment refusal may subject the member to Medical Evaluation Board (MEB) processing.

- A doctor may refuse to recognize your Advance Directive as a matter of conscience or moral conviction. In such a case, every effort will be made to find a doctor who can honor your request..

SOURCES

You may contact the Base Legal Office at 723-3026 for information on completing an Advance Directive. The Legal Office is located on the second floor of the PRIDE Building. You may also contact a civilian attorney at your own expense. The 5th Medical Group does not have the ability to complete an Advance Directive for you.

INFORMATION

The information provided here is not intended to substitute for the advice of your physician or attorney. Its purpose is to provide a starting point in formulating your decision on this serious matter. A person's wishes usually reflect personal, philosophical, and religious views, so you may wish to discuss the issue with your family, friends, and religious advisor as well.