# Declaration for Mental Health Treatment

I				
I understand that I may become incapable of giving or withholding informed consent for mental health treatment due to the symptoms of a diagnosed mental disorder. These symptoms may include:				
PSYCHOTROPIC MEDICATIONS				
If I become incapable of giving or withholding informed consent for mental health treatment, my wishes regarding psychotropic medications are as follows:				
I consent to the administration of the following medications:				
I do not consent to the administration of the following medications:				
Conditions or limitations:				
ELECTROCONVULSIVE TREATMENT				
If I become incapable of giving or withholding informed consent for mental health treatment, my wishes regarding electroconvulsive treatment are as follows:				
I consent to the administration of electroconvulsive treatment I do not consent to the				
administration of electroconvulsive treatment.				
Conditions or limitations:				

## ADMISSION TO AND RETENTION IN FACILITY

I become incapable of giving or withholding informed consent for mental health treatment, my wishes regarding dmission to and retention in a health care facility for mental health treatment are as follows:
I consent to being admitted to a health care facility for mental health treatment.
I do not consent to being admitted to a health care facility for mental health treatment.
his directive cannot, by law, provide consent to retain me in a facility for more than 17 days.
onditions or limitations:
ELECTION OF PHYSICIAN (optional)
it becomes necessary to determine if I have become incapable of giving or withholding informed consent for mental
ealth treatment, I choose Dr of to be one of
e two physicians who will determine whether I am incapable. If that physician is unavailable, that physician's designee
nall determine whether I am incapable.
DDITIONAL REFERENCES OR INSTRUCTIONS
onditions or limitations:
TTORNEY-IN-FACT
hereby appoint:
AME
DDRESS
ELEPHONE#

to act as my attorney-in-fact to make decisions regarding my mental health treatment if I become incapable of giving or withholding informed consent for that treatment.

## ATTORNEY-IN-FACT (continued)

If the person named above refuses or is unable to act on my behalf, or if I revoke that person's authority to act as my attorney-in-fact, I authorize the following person to act as my attorney-in-fact:
NAME
ADDRESS
TELEPHONE#
My attorney-in-fact is authorized to make decisions that are consistent with the wishes I have expressed in this declaration or, if not expressed, as are otherwise known to my attorney-in-fact. If my wishes are not expressed and are not otherwise known by my attorney-in-fact, my attorney-in-fact is to act in what he or she believes to be my best interest.
(Signature of Principal/Date)
AFFIRMATION OF WITNESSES
We affirm that the principal is personally known to us, that the principal signed or acknowledged the principal's signature on this declaration for mental health treatment in our presence, that the principal appears to be of sound mind and not under duress, fraud or undue influence, that neither of us is:
A person appointed as an attorney-in-fact by this document;
The principal's attending physician or mental health service provider or a relative of the physician or provider;
The owner, operator, or relative of an owner or operator of a facility in which the principal is a patient or resident; or
A person related to the principal by blood, marriage or adoption.
Witnessed By:
(Signature of Witness/Date) (Printed Name of Witness)
(Signature of Witness/Date) (Printed Name of Witness)
ACCEPTANCE OF APPOINTMENT AS ATTORNEY-IN-FACT
I accept this appointment and agree to serve as attorney-in-fact to make decisions about mental health treatment for the principal. I understand that I have a duty to act consistent with the desires of the principal as expressed in this appointment. I understand that this document gives me authority to make decisions about mental health treatment only while the principal is incapable as determined by a court or two physicians. I understand that the principal may revoke this declaration in whole or in part at any time and in any manner when the principal is not incapable.
(Signature of Attorney-in-fact/Date) (Printed Name of Witness)
(Signature of Attorney-in-fact/Date) (Printed Name of Witness)

(continued)

#### NOTICE TO PERSON MAKING A DECLARATION FOR MENTAL HEALTH TREATMENT

This is an important legal document. It creates a declaration for mental health treatment. Before signing this document, you should know these important facts:

This document allows you to make decisions in advance about three types of mental health treatment: psychotropic medication, electroconvulsive therapy, and short-term (up to 17 days) admission to a treatment facility. The instructions that you include in this declaration will be followed only if two physicians or the court believes that you are incapable of making treatment decisions. Otherwise, you will be considered capable to give or withhold consent for the treatments.

You may also appoint a person as your attorney-in-fact to make these treatment decisions for you if you become incapable. The person you appoint has a duty to act consistent with your desires as stated in this document or, if your desires are not stated or otherwise made known to the attorney-in-fact, to act in a manner consistent with what the person in good faith believes to be in your best interest. For the appointment to be effective, the person you appoint must accept the appointment in writing. The person also has the right to withdraw from acting as your attorney-in-fact at any time.

This document will continue in effect for a period of three years unless you become incapable of participating in mental health treatment decisions. If this occurs, the directive will continue in effect until you are no longer incapable.

You have the right to revoke this document in whole or in part at any time you have been determined by a physician to be capable of giving or withholding informed consent for mental health treatment. A revocation is effective when it is communicated to your attending physician in writing and is signed by you and a physician. The revocation may be in a form similar to the following:

#### REVOCATION

I,	, willfully and voluntarily revoke my declaration for mental health treatment
as indicated	
[] I revoke my entire declaration	
[] I revoke the following portion	of my declaration
Date Sign	ed
	(Signature of principal)
I, Dror withholding informed consent	, have evaluated the principal and determined that he or she is capable of giving for mental health treatment.
DateSign	ed
	(Signature of physician)

If there is anything in this document that you do not understand, you should ask a lawyer to explain it to you. This declaration will not be valid unless it is signed by two qualified witnesses who are personally known to you and who are present when you sign or acknowledge your signature.

History

# Living Will DECLARATION

This declaration is made this	day of	(month, year).
I,	, born on	, being of sound mind,
willfully and voluntarily make know postponed.	n my desires that my moi	ment of death shall not be artificially
If at any time I should have an incur- terminal condition by my attending p determined that my death is imminer procedures which would only prolon permitted to die naturally with only to performance of any medical procedu- me with comfort care.	physician who has person nt except for death delaying the dying process be we the administration of med	nally examined me and has ing procedures, I direct that such rithheld or withdrawn, and that I be dication, sustenance, or the
In the absence of my ability to give of procedures, it is my intention that the as the final expression of my legal ri consequences from such refusal.	is declaration shall be hor	nored by my family and physician
Signed		
City, County and State of Residence	e	
The declarant is personally known to declarant sign the declaration in my he or she had signed the declaration) the declarant. I did not sign the declarant. At the date of this instrum declarant according to the laws of in belief, under any will of declarant or directly financially responsible for declarant.	presence (or the declarant) and I signed the declarant arant's signature above for the signature above for testate succession or, to the other instrument taking of the signature of the signatur	t acknowledged in my presence that tion as a witness in the presence of or or at the direction of the any portion of the estate of the he best of my knowledge and
Witness		
Witness		
History		

(Source: P.A. 85-1209.)

Annotations



# IDPH UNIFORM PRACTITIONER ORDER FOR LIFE-SUSTAINING TREATMENT (POLST) FORM

For patients, use of this form is completely voluntary. Follow these orders until changed. These medical orders are based on the patient's medical condition and preferences. Any section not completed does not invalidate the form and implies initiating all treatment for that section. With significant change of condition new orders may need to be written.		Patient Last Name	е	Patient First I	Name	MI
		Date of Birth (mm	/dd/yy)		Gender $\square$ M $\square$	F
		Address (street/ci	ty/state/ZIPcode	9)		
Α	CARDIOPULMONARY RESUSCITA	TION (CPR) If	patient has no	pulse and is not b	oreathing.	
Check One	□ Attempt Resuscitation/CPR □ Do Not Attempt Resuscitation/DNR (Selecting CPR means Full Treatment in Section B is selected)					
	When not in cardiop	ulmonary arre	st, follow or	ders B and C.		
В	MEDICAL INTERVENTIONS If patie	ent is found with a	pulse and/or i	s breathing.		
Check One (optional)	□ Full Treatment: Primary goal of sust scribed in Selective Treatment and Cor cardioversion as indicated. <i>Transfer to</i>	mfort-Focused Tre	eatment, use ir	ntubation, mechar		
	□ Selective Treatment: Primary goal of treating medical conditions with selected medical measures. In addition to treatment described in Comfort-Focused Treatment, use medical treatment, IV fluids and IV medications (may include antibiotics and vasopressors), as medically appropriate and consistent with pati preference. Do Not Intubate. May consider less invasive airway support (e.g. CPAP, BiPAP). Transfer to he pital, if indicated. Generally avoid the intensive care unit.					IV atient
	□ Comfort-Focused Treatment: Prima use of medication by any route as need Do not use treatments listed in Full and transfer to hospital only if comfort in	ry goal of maxir ded; use oxygen, d Selective Treatn	nizing comfor suctioning and nent unless cor	I manual treatmentsistent with com	nt of airway obstru	iction.
	Optional Additional Orders					
C	MEDICALLY ADMINISTERED NUTRI					
Check	□ Long-term medically administered nutrition, including feeding tubes. Additional Instructions (e.g., length of trial period)					
One (optional)	<ul><li>□ Trial period of medically administered nutrition</li><li>□ No medically administered means of nutrition</li></ul>					
<b>D</b>	DOCUMENTATION OF DISCUSSION (					
D		☐ Agent under he		er of attorney		
					age 2 for priority li	st)
	Signature of Patient or Legal Represe	ntative				
	Signature (required)		Name (print)		Date	
	Signature of Witness to Consent (Witness required for a valid form)  I am 18 years of age or older and acknowledge the above person has had an opportunity to read this form and have witnessed the giving of consent by the above person or the above person has acknowledged his/her signature or mark on this form in my presence.					
	Signature (required)		Name (print)		Date	
E	Signature of Authorized Practitioner (p	hysician, licensed resid	ent (second year or	higher), advanced prac	tice nurse or physician a	assistant)
Е	My signature below indicates to the best of my knowled	•				
	Print Authorized Practitioner Name (required	d)		Phone		
				( )		
	Authorized Practitioner Signature (required)			Date (required)	4	Page 1
			1		1	

Form Revision Date - May 2017

(Prior form versions are also valid.)

#### HIPAA PERMITS DISCLOSURE OF POLST TO HEALTH CARE PROFESSIONALS AS NECESSARY FOR TREATMENT

**THIS SIDE FOR INFORMATIONAL PURPOSES ONLY**			
Patient Last Name	Patient First Name	MI	
Lies of the Illinois Department of Bublic Health (IDBH)	Prostitionar Ordara for Life Sustaining Treatment (DOLS	T) Form	

Use of the Illinois Department of Public Health (IDPH) Practitioner Orders for Life-Sustaining Treatment (POLST) Form is always voluntary. This order records your wishes for medical treatment in your current state of health. Once initial medical treatment is begun and the risks and benefits of further therapy are clear, your treatment wishes may change. Your medical care and this form can be changed to reflect your new wishes at any time. However, no form can address all the medical treatment decisions that may need to be made. The Power of Attorney for Health Care Advance Directive (POAHC) is recommended for all capable adults, regardless of their health status. A POAHC allows you to document, in detail, your future health care instructions and name a Legal Representative to speak for you if you are unable to speak for yourself.

Advance Directive Information					
I also have the following advance directives (OPTIONAL)					
☐ Health Care Power of Attorney	☐ Living Will Declaration ☐	Mental Health Treatment Preference Declaration			
Contact Person Name		Contact Phone Number			
	Health Care Professional Information				
Preparer Name		Phone Number			
Preparer Title		Date Prepared			

### Completing the IDPH POLST Form

- The completion of a POLST form is always voluntary, cannot be mandated and may be changed at any time.
- · A POLST should reflect current preferences of persons completing the POLST Form; encourage completion of a POAHC.
- · Verbal/phone orders are acceptable with follow-up signature by authorized practitioner in accordance with facility/community policy.
- Use of original form is encouraged. Photocopies and faxes on any color of paper also are legal and valid forms.

#### Reviewing a POLST Form

This POLST form should be reviewed periodically and in light of the patient's ongoing needs and desires. These include:

- · transfers from one care setting or care level to another;
- changes in the patient's health status or use of implantable devices (e.g. ICDs/cerebral stimulators);
- · the patient's ongoing treatment and preferences; and
- · a change in the patient's primary care professional.

#### Voiding or revoking a POLST Form

- A patient with capacity can void or revoke the form, and/or request alternative treatment.
- Changing, modifying or revising a POLST form requires completion of a new POLST form.
- Draw line through sections A through E and write "VOID" across page if any POLST form is replaced or becomes invalid. Beneath the written "VOID" write in the date of change and re-sign.
- If included in an electronic medical record, follow all voiding procedures of facility.

#### Illinois Health Care Surrogate Act (755 ILCS 40/25) Priority Order

Patient's guardian of person

5. Adult sibling

2. Patient's spouse or partner of a registered civil union

6. Adult grandchild

3. Adult child

7. A close friend of the patient

4. Parent 8. The patient

8. The patient's guardian of the estate

For more information, visit the IDPH Statement of Illinois law at http://dph.illinois.gov/topics-services/health-care-regulation/nursing-homes/advance-directives

HIPAA (HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT of 1996) PERMITS DISCLOSURE TO HEALTH CARE PROFESSIONALS AS NECESSARY FOR TREATMENT

Page 2



# Illinois Statutory Short Form Power of Attorney for Health Care

## NOTICE TO THE INDIVIDUAL SIGNING THE POWER OF ATTORNEY FOR HEALTH CARE

No one can predict when a serious illness or accident might occur. When it does, you may need someone else to speak or make health care decisions for you. If you plan now, you can increase the chances that the medical treatment you get will be the treatment you want.

In Illinois, you can choose someone to be your "health care agent." Your agent is the person you trust to make health care decisions for you if you are unable or do not want to make them yourself. These decisions should be based on your personal values and wishes.

It is important to put your choice of agent in writing. The written form is often called an "advance directive". You may use this form or another form, as long as it meets the legal requirements of Illinois. There are many written and on-line resources to guide you and your loved ones in having a conversation about these issues. You may find it helpful to look at these resources while thinking about and discussing your advance directive.

#### WHAT ARE THE THINGS I WANT MY HEALTH CARE AGENT TO KNOW?

The selection of your agent should be considered carefully, as your agent will have the ultimate decision-making authority once this document goes into effect, in most instances after you are no longer able to make your own decisions. While the goal is for your agent to make decisions in keeping with your preferences and in the majority of circumstances that is what happens, please know that the law does allow your agent to make decisions to direct or refuse health care interventions or withdraw treatment. Your agent will need to think about conversations you have had, your personality, and how you handled important health care issues in the past. Therefore, it is important to talk with your agent and your family about such things as:

- (i) What is most important to you in your life?
- (ii) How important is it to you to avoid pain and suffering?
- (iii) If you had to choose, is it more important to you to live as long as possible, or to avoid prolonged suffering or disability?
- (iv) Would you rather be at home or in a hospital for the last days or weeks of your life?
- (v) Do you have religious, spiritual, or cultural beliefs that you want your agent and others to consider?
- (vi) Do you wish to make a significant contribution to medical science after your death through organ or whole body donation?
- (vii) Do you have an existing advance directive, such as a living will, that contains your specific wishes about health care that is only delaying your death? If you have another advance directive, make sure to discuss with your agent the directive and the treatment decisions contained within that outline your preferences. Make sure that your agent agrees to honor the wishes expressed in your advance directive.

#### WHAT KIND OF DECISIONS CAN MY AGENT MAKE?

If there is ever a period of time when your physician determines that you cannot make your own health care decisions, or if you do not want to make your own decisions, some of the decisions your agent could make are to:

- (i) talk with physicians and other health care providers about your condition.
- (ii) see medical records and approve who else can see them.
- (iii) give permission for medical tests, medicines, surgery, or other treatments.
- (iv) choose where you receive care and which physicians and others provide it.
- (v) decide to accept, withdraw, or decline treatments designed to keep you alive if you are near death or not likely to recover. You may choose to include guidelines and/or restrictions to your agent's authority.
- (vi) agree or decline to donate your organs or your whole body if you have not already made this decision yourself. This could include donation for transplant, research, and/or education. You should let your agent know whether you are registered as a donor in the First Person Consent registry maintained by the Illinois Secretary of State or whether you have agreed to donate your whole body for medical research and/or education.
- (vii) decide what to do with your remains after you have died, if you have not already made plans.
- (viii) talk with your other loved ones to help come to a decision (but your designated agent will have the final say over your other loved ones).

Your agent is not automatically responsible for your health care expenses.

#### WHOM SHOULD I CHOOSE TO BE MY HEALTH CARE AGENT?

You can pick a family member, but you do not have to. Your agent will have the responsibility to make medical treatment decisions, even if other people close to you might urge a different decision. The selection of your agent should be done carefully, as he or she will have ultimate decision-making authority for your treatment decisions once you are no longer able to voice your preferences. Choose a family member, friend, or other person who:

- (i) is at least 18 years old;
- (ii) knows you well;
- (iii) you trust to do what is best for you and is willing to carry out your wishes, even if he or she may not agree with your wishes;
- (iv) would be comfortable talking with and questioning your physicians and other health care providers;
- (v) would not be too upset to carry out your wishes if you became very sick; and
- (vi) can be there for you when you need it and is willing to accept this important role.

# WHAT IF MY AGENT IS NOT AVAILABLE OR IS UNWILLING TO MAKE DECISIONS FOR ME?

If the person who is your first choice is unable to carry out this role, then the second agent you chose will make the decisions; if your second agent is not available, then the third agent you chose will make the decisions. The second and third agents are called your successor agents and they function as back-up agents to your first choice agent and may act only one at a time and in the order you list them.

#### WHAT WILL HAPPEN IF I DO NOT CHOOSE A HEALTH CARE AGENT?

If you become unable to make your own health care decisions and have not named an agent in writing, your physician and other health care providers will ask a family member, friend, or guardian to make decisions for you. In Illinois, a law directs which of these individuals will be consulted. In that law, each of these individuals is called a "surrogate".

There are reasons why you may want to name an agent rather than rely on a surrogate:

- (i) The person or people listed by this law may not be who you would want to make decisions for you.
- (ii) Some family members or friends might not be able or willing to make decisions as you would want them to.
- (iii) Family members and friends may disagree with one another about the best decisions.
- (iv) Under some circumstances, a surrogate may not be able to make the same kinds of decisions that an agent can make.

#### WHAT IF THERE IS NO ONE AVAILABLE WHOM I TRUST TO BE MY AGENT?

In this situation, it is especially important to talk to your physician and other health care providers and create written guidance about what you want or do not want, in case you are ever critically ill and cannot express your own wishes. You can complete a living will. You can also write your wishes down and/or discuss them with your physician or other health care provider and ask him or her to write it down in your chart. You might also want to use written or on-line resources to guide you through this process.

#### WHAT DO I DO WITH THIS FORM ONCE I COMPLETE IT?

Follow these instructions after you have completed the form:

- (i) Sign the form in front of a witness. See the form for a list of who can and cannot witness it.
- (ii) Ask the witness to sign it, too.
- (iii) There is no need to have the form notarized.
- (iv) Give a copy to your agent and to each of your successor agents.
- (v) Give another copy to your physician.
- (vi) Take a copy with you when you go to the hospital.
- (vii) Show it to your family and friends and others who care for you.

#### WHAT IF I CHANGE MY MIND?

You may change your mind at any time. If you do, tell someone who is at least 18 years old that you have changed your mind, and/or destroy your document and any copies. If you wish, fill out a new form and make sure everyone you gave the old form to has a copy of the new one, including, but not limited to, your agents and your physicians.

#### WHAT IF I DO NOT WANT TO USE THIS FORM?

In the event you do not want to use the Illinois statutory form provided here, any document you complete must be executed by you, designate an agent who is over 18 years of age and not prohibited from serving as your agent, and state the agent's powers, but it need not be witnessed or conform in any other respect to the statutory health care power.

If you have questions about the use of any form, you may want to consult your physician, other health care provider, and/or an attorney.



# Illinois Statutory Short Form Power of Attorney for Health Care

### MY POWER OF ATTORNEY FOR HEALTH CARE

#### THIS POWER OF ATTORNEY REVOKES ALL PREVIOUS POWERS OF ATTORNEY FOR HEALTH CARE

My nar	me (Print your full name):
My ado	dress:
	NT THE FOLLOWING PERSON TO BE MY HEALTH CARE AGENT (an agent is your personal representative state and federal law):
(Agent	name)
(Agent	address)
	phone number)
Please	e check box if applicable:
	If a guardian of my person is to be appointed, I nominate the agent acting under this power of attorney as guardian.
MY A	GENT CAN MAKE HEALTH CARE DECISIONS FOR ME, INCLUDING:
(i)	Deciding to accept, withdraw, or decline treatment for any physical or mental condition of mine, including life-and-death decisions.
(ii)	Agreeing to admit me to or discharge me from any hospital, home, or other institution, including a mental health facility.
(iii)	Having complete access to my medical and mental health records, and sharing them with others as needed, including after I die.
(iv)	Carrying out the plans I have already made, or, if I have not done so, making decisions about my body or remains, including organ, tissue, or whole body donation, autopsy, cremation, and burial.
	THORIZE MY AGENT TO: (Please check only one box. If no box is checked, or if more than one box is ed, the directive in the first box below shall be implemented.)
	Make decisions for me only when I cannot make them for myself. The physician(s) taking care of me will determine when I lack this ability.
	Make decisions for me only when I cannot make them for myself. The physician(s) taking care of me will determine when I lack this ability. Starting now, for the purpose of assisting me with my health care plans and decisions, my agent shall have complete access to my medical and mental health records, the authority to share them with others as needed, and the complete ability to communicate with my personal physician(s) and other health care providers, including the ability to require an opinion of my physician as to whether I lack the ability to make decisions for myself.
	Make decisions for me starting now and continuing after I am no longer able to make them for myself. While I am still able to make my own decisions, I can still do so if I want to.

### LIFE-SUSTAINING TREATMENTS:

The subject of life-sustaining treatment is of particular importance. Life-sustaining treatments may include tube feedings or fluids through a tube, breathing machines, and CPR. In general, in making decisions concerning life-sustaining treatment, your agent is instructed to consider the relief of suffering, the quality as well as the possible extension of your life, and your previously expressed wishes. Your agent will weigh the burdens versus benefits of proposed treatments in making decisions on your behalf.

guide f		life-sustaining treatment are described below. These can serve as a hysician or health care provider if you have any questions about these AT BEST EXPRESSES YOUR WISHES (optional):
	in accordance with reasonable medical standards, that I	of my life. If I am unconscious and my attending physician believes, will not wake up or recover my ability to think, communicate with s, I do not want treatments to prolong my life or delay my death, but I to relieve me of pain.
		ck I am, how much I am suffering, the cost of the procedures, or how be prolonged to the greatest extent possible in accordance with
SPEC	IFIC LIMITATIONS TO MY AGENT'S DECIS	ION-MAKING AUTHORITY:
could r	nake to obtain or terminate any type of health care. If you r limit the power to authorize autopsy or dispose of remain	so that your agent will have the authority to make any decision you wish to limit the scope of your agent's powers or prescribe special ns, you may do so specifically on the lines below or add another page
	MUST SIGN THIS FORM AND A WITNESS M	
My sig	nature:	Today's date:
	E YOUR WITNESS AGREE TO WHAT IS WRI' ATURE PORTION:	ITEN BELOW, AND THEN COMPLETE THE
I am at	least 18 years old. (Check one of the options below.)	
	I saw the principal sign this document, or	
	the principal told me that the signature or mark on the p	rincipal signature line is his or hers.
by bloc optome	od, marriage, or adoption. I am not the principal's physicia	I am not related to the principal, the agent, or the successor agent(s) n, advanced practice registered nurse, dentist, podiatric physician, s. I am not an owner or operator (or the relative of an owner or nt or resident.
Witnes	s printed name:	
Witnes	s address:	
Witnes	s signature:	Today's date:

## **SUCCESSOR HEALTH CARE AGENT(S) (optional):**

(Successor agent #2 name, address and phone number)

igent names).		
Successor agent #1 name, address and phone number)		

If the agent I selected is unable or does not want to make health care decisions for me, then I request the person(s) I name below to be my successor health care agent(s). Only one person at a time can serve as my agent (add another page if you want to add more successor