

Massachusetts Forms

HEALTHY AGING
MARTHAS VINEYARD

Making Martha's Vineyard an Aging-Friendly Island

	Durable Power of Attorney	Health Care Proxy	Living Will	MOLST	CC/DNR
<i>Also known as...</i>	General Power of Attorney	Health Care Proxy; Advance Directive	Personal Directive; Medical Directive	Medical Orders for Life-Sustaining Treatment	Comfort Care/Do Not Resuscitate
Type of Document	Legal document	Legal Document	Personal document	Medical Order	Verification of Medical Order
Who Signs it?	Individual, Agent, Successor Agent, Notary; An attorney is recommended to execute, but not mandatory	Individual and 2 witnesses of the person's choice; do-it-yourself	Individual; do-it-yourself	In MA: Physician, Nurse Practitioner, or Physician Assistant AND the patient (or patient's Health Care Proxy if incapacitated)	In MA: Physician, Nurse Practitioner, or Physician Assistant AND the patient (or the patient's Health Care Proxy)
Who Should Have One?	Competent adults	Competent adults, 18 yrs/older	Competent adults, 18 yrs/older	Seriously ill or frail patients of any age	Seriously ill or frail patients of any age
What It Communicates	Preferences & instructions on managing money, property & financial matters.	Decision-making authority of the named Health Care Agent & Alternate Agent	Information & instructions about health care & personal preferences	Specific medical orders	Specific medical orders
The form contains:	Name(s) of person's appointed agent(s) to make financial decisions and manage one's estate	Name(s) of person's appointed as agents to make health decisions if the patient is unable to make decisions	Preferences & choices about medical treatment and personal matters	Current medical orders about life-sustaining treatments and EOL care	Current medical orders about life-sustaining treatments and EOL care
Can this form appoint a Surrogate Decision-Maker?	Yes: "Attorney-in-fact"	Yes: Health Care Agent and Alternative H.C. Agent	No	No	No
Surrogate Decision-Maker Role		Cannot complete	Cannot complete	Can engage in discussion and update or void form if patient lacks capacity	Can engage in discussion and update or void form if patient lacks capacity
Can ER Personnel Use This Document?	No	Yes, legally binding	Yes, but not legally binding	Yes	Yes
Who Stores It, and Where?	Patient and Agent keep copies; file with lawyer	Patient keeps original; Copies to Agent & family; Care Providers scan copy to EMR	Patient keeps original; Copies to Agent & family; Care Providers scan copy to EMR	Patient keeps original; doctor keeps a copy in patient's medical record.	Patient keeps original; doctor keeps a copy in patient's medical record.
Periodic Review	Patient is responsible.	Patient is responsible for periodically reviewing	Patient is responsible.	Health care professional is responsible for reviewing with patient or surrogate	This form is being phased out in MA in favor of the MOLST
Goes Into Effect	Ends when the person it protects becomes incapacitated	Only if person is declared to lack capacity to make own health decisions.	Immediately as Wishes; Not legally binding in MA	Immediately upon signing.	Immediately upon signing.