

Dr. Luis Hines and Associates, P.A.

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Mental Health Advance Directive

If you believe you may be hospitalized for mental health care in the future and that your doctor may think you aren't able to make good decisions about your treatment, completion of a mental health advance directive will help make your treatment preferences known. It is important that you decide **NOW** what types of treatment you do or do not want and appoint a friend or family member to make the mental health care decisions that you want carried out.

You can use the following advance directive form to direct your future care.

- Reach each section of the form carefully and talk about your choices with your case manager, doctor, or other trusted person(s).
- The person you choose to be your health care surrogate and alternate must be a competent person who is at least 18 years old, whose civil rights have not been taken away. The person you choose should **NOT** be a mental health professional, an employee of a facility which might provide services to you, an employee of the Department of Children & Family Services, or a member of the Local Advocacy Council.
- Make sure your surrogate understands your wishes and is willing to take the responsibility.
- You and your surrogate (and a back-up alternate surrogate if you wish) should sign the form in front of two witnesses.
- Have copies made and give them to your surrogate, your case manager, your doctor, the hospital or crisis unit at which you are most likely to be taken, your family, and anyone else who might be involved in your care. Discuss your choices with each of them.

You can change your advance directive at any time you are competent to do so. If you travel, be sure to take a copy of the advance directive with you. Your advance directive will not take effect unless a physician decides that you are incompetent to make your own treatment decisions. If you are in a psychiatric facility, you will have an attorney appointed to represent your interests, and will have a hearing in front of a judge or hearing master. A health care surrogate is not authorized to consent to treatment for a person on a voluntary status.

I, _____, being of sound mind, willfully and voluntarily execute this mental health advance directive to assure that if I should be found incompetent to consent to my own mental health treatment, my choices regarding my treatment will be carried out despite my inability to make informed decisions for myself.

If a guardian or other decision-maker is appointed by a court to make health care or mental health decisions for me, I intend this document to take precedence over all other means of determining my intent while competent. This document represents my wishes and it should be given the greatest possible legal weight and respect. If the surrogate(s) named in this directive are not available, my wishes shall be binding on whoever is appointed to make such decisions.

If I become incompetent to make decisions about my own mental health treatment, I have authorized a mental health care surrogate to make certain treatment decisions for me. My surrogate is also authorized to apply for public benefits

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to defray the cost of my health care, to release information to appropriate persons, and to authorize my transfer from a health care facility.

My mental health care surrogate is:

Name: _____

Address: _____

Day Telephone: _____ Evening Telephone: _____

I, _____, mental health care surrogate designated by _____, hereby accept the designation.

(Signature of Mental Health Care Surrogate)

Date

If the person named above is unavailable or unable to serve as my mental health care surrogate, I hereby appoint and want immediate notification of my alternate mental health care surrogate as follows:

Name: _____

Address: _____

Day Telephone: _____ Evening Telephone: _____

I, _____, mental health care surrogate designated by _____, hereby accept the designation.

(Signature of Alternate Mental Health Care Surrogate)

Date

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Complete the following or Initial in the blank marked yes or no:

- A. If I become incompetent to give consent to mental health treatment, I give my mental health care surrogate full power and authority to make mental health care decisions for me. This includes the right to consent, refuse consent, or withdraw consent to any mental health care, treatment, service, or procedure, consistent with any instruction and/or limitation I have stated in this advance directive. If I have not expressed a choice in this advance directive, I authorize my surrogate to make the decision my surrogate determines is the decision I would make if I were competent to do so. ___ Yes ___ No
- B. My choice of treatment facilities are as follows “
- a. In the event my psychiatric condition is serious enough to require 24-hour care, I would prefer to receive this care in this/there facilities:
Facility: _____
Facility: _____
- b. I do not wish to be placed in the following facilities for psychiatric care for the reasons I have listed:
Facility/Reason: _____
Facility/Reason: _____
- C. My choice of a treating physician is:
First choice of physician: _____
Second choice of physician: _____
- I do not wish to be treated by the following physicians:
Name of physician: _____
Name of physician: _____
- D. My wishes regarding confidentiality of my admission to a facility and my treatment while there are as follows:
- a. ___ My representative may be notified of my involuntary admission ___ Yes ___ No
- b. ___ Any person who seeks to contact me while I am in a facility may be told I am there ___ Yes ___ No
- c. ___ I consent to release of information about my condition and treatment please ___ Yes ___ No
- i. To the following persons: _____

- d. ___ I do not consent to the release of information about my admission or treatment to anyone unless I give specific consent at the time of the request or as otherwise allowed by law. ___ Yes ___ No

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E. If I am not competent to consent to my own treatment or to refuse medications relating to my mental health treatment, I have initialed one of the following, which represents my wishes:

- a. I consent to the medications that Dr. _____ recommends.
- b. I consent to the medications agreed to by my mental health care surrogate, after consulting with my treating physician and any other individuals my surrogate may think appropriate, with the exceptions found in letter C below.
- c. I specifically do not consent and I do not authorize my mental health care surrogate to consent to the administration of the following medications or their respective brand name, trade name, or generic equivalents: (list name of drug and reason for refusal)

- d. I am willing to take the medications excluded in letter C above if my only reason for excluding them is their side effects and the dosage can be adjusted to eliminate those side effects.
- e. I have the following other preferences about psychiatric medications:

F. My wishes regarding Electroconvulsive Therapy (ECT) are as follows:

- a. My surrogate may not consent to ECT without express court approval
- b. I authorize my surrogate to consent to ECT.
- c. Other instructions and wishes regarding ECT are as follows:

G. If, during a stay in a psychiatric facility, my behavior requires an emergency intervention, my wishes regarding which form of emergency interventions should be made in the following order: (fill in numbers, giving 1 to your first choice, 2 to your seconds, and so on until each has a number). If an intervention you prefer is not listed, write it in after "other" and give it a number

- | | |
|---|--|
| <input type="checkbox"/> Seclusion | <input type="checkbox"/> Medication in pill form |
| <input type="checkbox"/> Physical restraints | <input type="checkbox"/> Medication in liquid form |
| <input type="checkbox"/> Both seclusion and physical restraints | <input type="checkbox"/> Medication by injection |
| <input type="checkbox"/> Other: _____ | |

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H. Florida law prohibits a mental health care surrogate from consenting to experimental treatments that have not been approved by a federally approved institutional review board without my prior written consent or the express approval of the court.

I consent to my participation in experimental drug studies or drug trials

I do not wish to participate in experimental drug studies or drug trials

I. If I am incompetent to give consent, I want staff to immediately notify the following persons that I have been admitted to a psychiatric facility.

Name: _____ Relationship: _____

Address: _____

Day Phone: _____ Evening Phone: _____

Name: _____ Relationship: _____

Address: _____

Day Phone: _____ Evening Phone: _____

J. Other instructions I wish to make about my mental health care are (use additional pages if needed):

By signing here I indicate that I fully understand that this advance directive will permit my mental health care surrogate to make decisions and to provide, withhold, or withdraw consent for my mental health treatment.

Printed Name (Declarant): _____

Signature: _____ **Date:** _____

This advance directive was signed by _____ in our presence. At his/her request, we have signed our names below as witness.

We declare that, at the time this advance was signed, the Declarant, according to our best knowledge and belief was of sound mind and under no constraint or undue influence. We further declare that we are both adults, are not designated in this advance directive as the mental health care surrogate, and at least one of us is neither in the person's spouse nor blood relative.

Witness Signatures:

Witness 1:

Signature: _____

Print Name: _____

Address: _____

City, State, Zip Code: _____

Witness 2:

Signature: _____

Print Name: _____

Address: _____

City, State, Zip Code: _____