The Rest Of Your Life www.theroyl.com

Advance Directive and Durable Power of Attorney

Advance Care Planning Form

State of Nevada

The Rest of Your Life recommends that you review completed documents with an attorney, especially if there are mitigating circumstances surrounding your Advance Directive or Durable Power of Attorney.

Advance Directives Electronic Forms

The ROYL is a leader in offering electronic Advance Directive documents for digital signatures. Electronic Advance Directive Forms are secure and accessible anytime from any device that allows for Internet access.

Why do an Advance Directive?

Anyone 18 years of age or older should have an Advance Directive. This document allows for the care you have designated to be respected and followed through in the event you cannot speak for yourself. It allows for you to name someone to speak on your behalf, but most importantly it removes the stress, anxiety and guilt from decisions that your loved ones would otherwise have to make on your behalf.

An Advance Directive is not just for aging people. The cases of Teri Shivo and Karen Ann Quinlan serve as examples of how any adult, regardless of age, can benefit from having one. Both young adults, Shivo and Quinlan were kept alive by machines for years because they did not tell or write down what they wanted in the event of a tragic accident. The court battles that ensued took not only an emotional toll, but required government involvement because of disagreements between spouses and family members.

Description:

An Advance Directive, sometimes referred to as a Living Will or an Advance Health Care Directive, allows you to make your wishes known if you are unable to speak for yourself. An Advance Directive provides you and your loved ones with peace of mind that your care is compatible with your wishes. This is truly a gift to those you love as it helps them clearly know what to do in this stressful situation.

Advance Directive requirements vary from state to state. You can download the appropriate state form here at no cost prior to completing the form online so that you have the required information prepared in advance.

Security:

Your documents are processed using DocuSign, the leader in global electronic signature and document security.

When you complete your Advance Directive with The ROYL, you can download it as a PDF file to your computer's hard drive. DocuSign will email a final copy to the designees in your Advance Directive. We recommend you print a hard copy and send it via email or mail to others you want to have copies.

Contact us if you have questions in preparing the forms selected.

NOTICE: You must have the required information available prior to initiating the document (designees, contact information, wishes for care).

1. DESIGNATION of HEALTH CARE AGENT

I, *(insert your name),* EXAMPLE

do hereby designate and appoint:

Name _____

Address _____

Phone (____) _____ Work (____) _____ ext ___
as my attorney-in-fact to make health care decisions for me as authorized in this document.

Insert the name and address of the person you wish to designate as your attorney-in-fact to make health care decisions for you. Unless the person is also your spouse, legal guardian or the person most closely related to you by blood, none of the following may be designated as your attorney-in-fact:

(1) *your treating provider of health care;*
(2) *an employee of your treating provider of health care;*
(3) *an operator of a health care facility, or;*
(4) *an employee of an operator of a health care facility.*

2. CREATION of DURABLE POWER of ATTORNEY for HEALTH CARE

By this document I intend to create a Durable Power of Attorney for Health Care by appointing the person designated above to make health care decisions for me. This Durable Power of Attorney for Health Care shall not be affected by my subsequent incapacity.

3. GENERAL STATEMENT of AUTHORITY GRANTED

In the event that I am incapable of giving informed consent with respect to health care decisions, I hereby grant to the attorney-in-fact named above full power and authority to make health care decisions for me before, or after my death, including: consent, refusal of consent, or withdrawal of consent to any care, treatment, service, or procedure to maintain, diagnose, or treat a physical or mental condition, subject only to the limitations and special provisions, if any, set forth in paragraphs 4 or 6.

4. SPECIAL PROVISIONS and LIMITATIONS

(Your attorney-in-fact is not permitted to consent to any of the following: commitment to or placement in a mental health

treatment facility, convulsive treatment, psycho surgery, sterilization, or abortion. If there are any other types of treatment or placement that you do not want your attorney-in-fact's authority to give consent for or other restrictions you wish to place on your attorney-in-fact's authority, you should list them in the space below. If you do not write any limitations, your attorney-in-fact will have the broad powers to make health care decisions on your behalf which are set forth in paragraph 3, except to the extent that there are limits provided by law.)

In exercising the authority under this Durable Power of Attorney for Health Care, the authority of my attorney-in-fact is subject to the following special provisions and limitations:

_____

_____

_____

5. DURATION

I understand that this Durable Power of Attorney for Health Care will exist indefinitely from the date I execute this document unless I establish a shorter time. If I am unable to make health care decisions for myself when this power of attorney expires, the authority I have granted my attorney-in-fact will continue to exist until the time when I become able to make health care decisions for myself.

(IF APPLICABLE)

I wish to have this Durable Power of Attorney for Health Care end on:

_____ , 20___.

.

6. STATEMENT of DESIRES

a) With respect to decisions to withhold or withdraw life-sustaining treatment, your attorney-in-fact must make health care decisions that are consistent with your known desires. You can, but are not required to, indicate your desires below. If your desires are unknown, your attorney-in-fact has the duty to act in your best interests; and under some circumstances, a judicial proceeding may be necessary so that a court can determine the health care decision that is in your best interests. If you wish to indicate your desires, you may INITIAL the statement or statements that reflect your desires and/or write your own statements in the space on the following page.

IF THE STATEMENT *REFLECTS YOUR DESIRES,* INITIAL THE BOX NEXT TO THE STATEMENT

☐ **(1)** I desire that my life be prolonged to the greatest extent possible, without regard to my condition, the chances I have for recovery or long-term survival, or the cost of the procedures.

☐ **(2)** If I am in a coma which my doctors have reasonably concluded is irreversible, I desire that life-sustaining or prolonging treatments not be used. *(Also should utilize provisions of NRS 449.535 to 449.690, inclusive, if this subparagraph is initialed.)*

☐ **(3)** If I have an incurable or terminal condition or illness and no reasonable hope of long-term recovery or survival, I desire that life-sustaining or prolonging treatments not be used. *(Also should utilize provisions of NRS 449.535 to 449.690, inclusive, if this subparagraph is initialed.)*

☐ **(4)** Withholding or withdrawal of artificial nutrition and hydration may result in death by starvation or dehydration. I want to receive or continue receiving artificial nutrition and hydration by way of the gastro-intestinal tract after all other treatment is withheld.

☐ **(5)** I do not desire treatment to be provided and/or continued if the burdens of the treatment outweigh the expected benefits. My attorney-in-fact is to consider the relief of suffering, the preservation or restoration of functioning, and the quality as well as the extent of the possible extension of my life.

MY MEMORIAL SERVICE

If there is to be a memorial service for me, I wish for this service to include the following *(list music, songs, readings or other specific requests that you have):*

_____

_____

_____

_____

_____

_____

_____

Add other wishes here *(such as your wishes about donating any or all parts of your body when you die):*

_____

_____

_____

_____

_____

_____

_____

_____

(If you wish to change your answer, you may do so by drawing an "X" through the answer you do not want, and circling the answer you prefer.)

6. STATEMENT of DESIRES *(continued)*

b) It is my intention that this instrument serve both as a self-executing document and as a delegation of power to my attorney-in-fact. This document shall be deemed an exercise of all rights that I may have under the United States Constitution, the Constitution of Nevada, and any other relevant state and federal laws, rules, regulations and decisions, to refuse medical treatment.

c) I desire that my wishes be carried out through the authority given to my attorney-in-fact by this document despite any contrary feelings, beliefs or opinions of other members of my family, relatives or friends.

d) I realize that the situations described in this document are subject to various interpretations, and I am confident that the person(s) named as my attorney-in-fact will exercise the judgment that I myself would exercise if competent.

e) If my attorney-in-fact or my alternate attorney(s) in fact is unavailable, I nevertheless request that my instructions and preferences in this document be observed.

Principal _____

7. DESIGNATION of ALTERNATE ATTORNEY-IN-FACT

(You are not required to designate any alternative attorney-in-fact but you may do so. Any alternative attorney-in-fact you designate will be able to make the same health care decisions as the attorney-in-fact designated in paragraph 1, page 4, in the event that he or she is unable or unwilling to act as your attorney-in-fact. Also, if the attorney-in-fact designated in paragraph 1 is your spouse, his or her designation as your attorney-in-fact is automatically revoked by law if your marriage is dissolved.)

If the person designated in paragraph 1 as my attorney-in-fact is unable to make health care decisions for me, then I designate the following persons to serve as my attorney-in-fact to make health care decisions for me as authorized in this document, such persons to serve in the order listed below:

A. First Alternative Attorney-in-fact

Name _____

Address _____

Phone (___) _____ Work (____) _____ ext ____

B. Second Alternative Attorney-in-fact

Name _____

Address _____

Phone (___) _____ Work (____) _____ ext ____

8. PRIOR DESIGNATIONS REVOKED

I revoke any prior durable power of attorney for health care. However, this shall not be construed as a revocation of any durable power of attorney I may have made for the management of my business and/or personal affairs.

9. WAIVER of CONFLICT of INTEREST

If my designated attorney-in-fact or if any alternate designated attorney-in-fact is my spouse or is one of my children then in that event I waive any conflict of interest that said spouse or child may have in carrying out the provisions of this Durable Power of Attorney for Health Care, by reason of the fact that said spouse or child may be a recipient of my estate whether by Will, the laws of intestate succession or pursuant to a Trust or other arrangement.

(You must DATE and SIGN this Durable POWER of ATTORNEY for Health Care)

I sign my name to this Durable Power of Attorney for Health Care on:

_____ , 20_____,
(date)

at _____
(city and state)

Signature _____

Name EXAMPLE _____

Address _____

Phone (___) _____ Work (_____) _____ ext ____

Social Security Number _____

(This Durable Power of Attorney for Health Care will not be valid for making health care decisions unless it is either **(1)** *signed by at least two qualified witnesses who are personally known to you and who are present when you sign or acknowledge your signature, or* **(2)** *acknowledged before a notary public.)*

10. CERTIFICATE of ACKNOWLEDGMENT of NOTARY PUBLIC

STATE OF NEVADA)
) ss.
COUNTY OF)

On this_____day of_____, 20_____, before me,

_____, *(here insert name of Notary Public)*

personally appeared_____,

(here insert name of principal) personally known to me *(or proved to me on the basis of satisfactory evidence)* to be the person who executed the above instrument, and acknowledged to me that he or she executed the same for purposes stated therein. I declare under penalty of perjury that the person whose name is ascribed to this instrument appears to be of sound mind and under no duress, fraud, or undue influence.

_____
NOTARY PUBLIC

11. STATEMENT of WITNESSES

(You should carefully read and follow this witnessing procedure. This document will not be valid unless you comply with the witnessing procedure. If you elect to use witnesses instead of having this document notarized, you must use two qualified adult witnesses. None of the following may be used as a witness: **(1)** *a person you designate as the attorney-in-fact,* **(2)** *a provider of health care,* **(3)** *an employee of a provider of health care,* **(4)** *the operator of a health care facility, or* **(5)** *an employee of an operator of a health care facility.*

I declare under penalty of perjury that the principal is personally known to me, that the principal signed or acknowledged this Durable Power of Attorney for Health Care in my presence, that the principal appears to be of sound mind and under no duress, fraud, or undue influence, that I am not the person appointed as attorney-in-fact by this document, and that I am not a provider of health care, an employee of a provider of health care, the operator of a community health care facility, nor an employee of a health care facility.

Signature _____

Print Name _____

Residence Address _____

Date_____, 20 _____

Signature _____

Print Name _____

Residence Address _____

Date_____, 20 _____

NOTE: AT LEAST ONE OF THE ABOVE WITNESSES MUST ALSO SIGN THE FOLLOWING DECLARATION

12. DECLARATION of WITNESS

I declare under penalty of perjury that I am not related to the principal by blood, marriage or adoption, and to the best of my knowledge I am not entitled to any part of the estate of the principal upon the death of the principal under a will now existing or by operation of law.

Signature _____

Print Name _____

Residence Address _____

Date_____, 20 _____

Signature _____

Print Name _____

Residence Address _____

Date_____, 20 _____

COPIES: *You should retain an executed copy of this document and give one to your attorney-in-fact. The power of attorney should be available so a copy may be given to your providers of health care.*

DECLARATION/LIVING WILL

If I should have an incurable and irreversible condition that, without the administration of life-sustaining treatment, will, in the opinion of my attending physician, cause my death within a relatively short time, and I am no longer able to make decisions regarding my medical treatment, I direct any attending physician, pursuant to NRS 449.535 to 449.690, inclusive, to withhold or withdraw treatment that only prolongs the process of dying and is not necessary for my comfort or to alleviate pain.

NOTE: *if you wish to include the following statement in this declaration, you must INITIAL the statement in the box provided:*

☐

Withholding or withdrawal of artificial nutrition and hydration may result in death by starvation or dehydration. Initial this box if you want to receive or continue receiving artificial nutrition and hydration by way of the gastro-intestinal tract after all other treatment is withheld pursuant to this declaration.

NOTICE

Make sure your loved ones can find this document. Make copies for all concerned and make sure they understand its importance.

Signed this_____day of_____, 20____ .

Signature _____

Address _____

The declarant voluntarily signed this document in my presence.

Witness _____

Address _____

Witness _____

Address _____

EMERGENCY MEDICAL NOTICE.
Advance Directive on file

Please check with these agents
for a copy of my Advance Directive:

1. PRIMARY AGENT NAME _____

Work (____) _____ Home (____) _____

Cell (____) _____ Other (____) _____

2. 1st ALTERNATE AGENT NAME _____

Work (____) _____ Home (____) _____

Cell (____) _____ Other (____) _____

2. 2nd ALTERNATE AGENT NAME _____

Work (____) _____ Home (____) _____

Cell (____) _____ Other (____) _____

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2. 1st ALTERNATE AGENT NAME _____

Work (____) _____ Home (____) _____

Cell (____) _____ Other (____) _____

2. 2nd ALTERNATE AGENT NAME _____

Work (____) _____ Home (____) _____

Cell (____) _____ Other (____) _____