

MAKING SURE YOUR VOICE IS HEARD LGBTQI Documentation for End of Life

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MAKING SURE YOUR VOICE IS HEARD



LGBTQI Documentation for End of Life

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ADVANCED DIRECTIVE

The term “Advanced Directive” refers to a one or multiple documents detailing a person’s End of Life directives, plans, choices and wishes. Usually, the term is used to reference the combination of a Living Will and the Durable Power of Attorney for Health Care.

LIVING WILL – HEALTH CARE DIRECTIVE

This legal document informs health care providers what you do and do not want regarding your medical treatment, when you are in a hospital. Sometimes too vague to really know your wishes, both being specific about end of life interventions and having it written so your Health Care Proxy/Agent understands your values and end of life philosophy, you have a higher probability your directives are enforced.

DURABLE POWER OF ATTORNEY FOR HEALTH CARE (HCPOA)

This is another important legal document allowing you to name someone, called your Agent or Proxy, who becomes able to make decisions around your medical care, based on your directives, when you are incapable of expressing your choices. The HCPOA goes into effect only when you are no longer able to communicate your directives, and is suspended should you regain your ability to communicate. Your Agent has the obligation to follow the directives expressed in your the Living Will. Without this document, there may be some confusion as to who can make legal medical decisions on your behalf.

LEGAL AND FINANCIAL POWER OF ATTORNEY

Like Health Care POA, these documents allow you to name someone as your Agent to speak for you in legal or financial matters, when you cannot speak for yourself. Your financial Power of Attorney can pay bills, access bank accounts, and buy and sell assets based upon what they believe is in your interest and what you would do, if able. The degree to which these POA’s have decision making powers is dependent on what you spell out in this document.

POLST – PHYSICIANS (PENNSYLVANIA) ORDERS FOR LIFE SUSTAINING TREATMENTS

This tool enables your primary care physician to endorse your directives in an emergency or in a non-hospital facility. While your Living Will is honored in the hospital, if you are in any other health care facility, nursing home, or if 911 brings paramedics to your home, these providers are exempt from the power of the Living Will, and have a duty to do whatever is necessary to maintain life. Intended for those who are seriously ill, frail or near the end of life, a POLST is a signed doctor’s order. Despite not being a legal document, it is the way health care personnel are obliged to provide or withhold end of life interventions like CPR, intubation, artificial feeding and more. An Agent is not named on this document as it is medical orders your primary physician.

LAST WILL AND TESTAMENT

Your Will is the way you can make sure the people you love get the things you own after you die. Name someone you trust, and has no real gain from your estate, to agree to be the Executor. This job usually entails the responsibilities of paying off your debts and bills from any money you leave behind and distributing your possessions as you have written. Some people would include final words. Now, it’s possible to do give any closing remarks on video.

ADDITIONAL PROVISIONS AND AUTHORIZATIONS

Hospital Visitation Authorization – This document that assures those important to you are permitted to visit you while you are admitted to the hospital. It also denies anyone that right, should you decide so.

Appointment of Agent to Control Disposition of Remains – This is a very important legal document that designates the person who legally becomes responsible to follow your directives once you are deceased. Since the Advanced Directive carries no legal weight after death, you should designate a trusted person to take charge of your body after you have died. Directives you may include for funeral or memorial services are legally bound to be followed. The exceptions are in cases where the person who has died has requested elaborate or outrageous funeral practices or when they would place a financial burden on the person designated to accept the responsibility.

People That Should Have No Authority – In this document, you can list those people who should not have the power to make medical decisions for you.

Dementia Provision – If facing dementia, this states your wishes when you cannot understand or express your preferences for medical care, but are still conscious. It is different from your Living Will, as it may apply before the dying process begins. It is the same as your Living Will, as you would name a Proxy to make medical and other decisions on your behalf.

Provision for Removal of health care provider or relocation to another facility may be noted if the providers cannot or will not abide by one’s health care or medical preferences.

Gender Expression Provision – A way of stating your desire to be called by your chosen name and pronouns. Even if consciousness is lost, respect for your authentic identity should be demonstrated by all staff members. Every effort to maintain your gender expression is also part of this directive.

Video Legacy – Here is the way of leaving behind a record of your thoughts, hopes, beliefs, values and anything else you’d like to share in audio or video form. It is meant for those who survive you after death.

Digital Legacy – This is the list of your online presence that needs attention upon death. Give it to someone you trust will follow your directives. Develop a document containing web addresses, screen names, passwords, security questions and answers, as well as your desired actions to either close, memorialize, delete or transfer sites and online assets. The list could be part of the instructions you leave to the Executor of your Will or kept in a secret location only you and the person chosen for this task knows. Whatever way(s) you choose to address your online presence, don’t minimize its importance.

ATTRIBUTIONS

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