

RESOLUTION 211

Advance Directives

- The preparation of an advance directive provides loved ones and physicians with important information regarding how an individual would like to be cared for in certain crisis situations.
- In order to ensure patient wishes, as expressed in an advanced directive, are carried out, physicians must have timely access to advance directives.
- As reported in the Journal of American Medical Association in 2005, it is estimated that hospice care and advance directives can save between 25 and 40 percent of healthcare cost during the last month of life. This has a direct effect of reducing the costs borne by Medicare.
- Congressman Gingrey was successful in designating April 16th as National Healthcare Decisions Day to encourage adults of all ages to consider and discuss their medical care preferences with loved ones and fill out their own advance directives.
- The inaugural National Healthcare Decisions Day was held on April 16th, 2008.
- Currently, there is a private National Registry of Advance Directives that is operated by U.S. Living Will and Registry, a private corporation.
- Patients can submit their end-of-life documents to the registry at a charge of \$125.00.
- A problem arises because a physician must know that a patient has filed an Advanced Directive with a private corporation. A problematic circumstance involves a patient traveling in another state being involved in an accident and

placed in an unconscious and terminal condition. The physician rendering care has no way of knowing this patient has an Advance Directive that is filed with a private corporation or what private corporation.

- A national government registry of Advance Directives is needed to ensure physicians have access to such directives in a timely manner allowing the physician the ability to render the treatment according to the directive of the patient. Thus, the patient's dignity may be preserved.
- Many states expressly recognize out-of-state Advance Directives if the directives meet either the legal requirements of the state where executed or the state where the treatment is rendered when a decision arises.
- A financial incentive, such as a refundable tax credit, is necessary to encourage the use and registration of advance directives in a national directory.
- Tax credits are credits that reduce a person's tax liability by an amount equal to the tax credit. A tax deduction simply reduces your taxable income. A tax credit is not dependent on the tax payer's tax bracket.