



Health Care Proxies

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Many people followed the long, sad story of Terry Schiavo, the young Florida woman who, in a vegetative state, had left no written directives (a health care proxy or a living will) that stated her health-care wishes. Consequently, her parents and husband fought, for years over the removal of the feeding and hydration tubes that were keeping her alive.

Anyone who does not wish to be kept alive in the event of a persistent vegetative state resulting from illness or injury should prepare specific written directives. Speak to your attorney for advice. These health-care directives are inexpensive but invaluable; they put the world on notice as to what you do or do not want with respect to life-saving measures if you cannot speak for yourself. Without such a directive, as in the Schiavo case, doctors must keep you alive unless someone can prove your intent to the court with clear and convincing evidence. Such evidence can be difficult and expensive to provide, and the lack of clear evidence can also create acrimony, as it did in the Schiavo family.

Ordinarily, interest in this type of issue peaks when it appears in the news, but interest, decreases once the story is no longer a prominent news item. Many think that because the doctors disconnected Terry Schiavo's feeding and hydration tubes, the same would be done for us in a similar situation. Nothing could be further from the truth. In fact, a local judge recently ordered that tubes be reinserted in a Queens woman, despite the fact that she had a health-care proxy, because her proxy did not specifically address the Issue of feeding and hydration tubes. The only solution is to prepare and execute advance directives and be sure that you clearly state exactly what you intend.

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