

# STATE OF MICHIGAN



## HOUSE OF REPRESENTATIVES

### House Resolution No. 259

Offered by Representatives Alma Smith, Accavitti, Anderson, Brown, Condino, Cushingberry, Donigan, Farrah, Gillard, Gleason, Gonzales, Kahn, Leland, Lemmons, Jr., Lipsey, Meisner, Miller, Mortimer, Murphy, Proos, Sak, Shaffer, Tobocman, Vagnozzi and Zelenko

#### A RESOLUTION COMMEMORATING MAY 2006 AS ADVANCE DIRECTIVE MONTH IN THE STATE OF MICHIGAN

WHEREAS, Each of us values dignity, independence, and self-determination; and

WHEREAS, There are many circumstances during which we might lose the ability to express decisions about our medical and personal care. It is important to consider and express our wishes regardless of our age, as accident or illness can befall any individual; and

WHEREAS, Michigan has enacted statutes providing for legally binding advance directives, including durable powers of attorney and do-not-resuscitate declarations, signed on a voluntary basis; and

WHEREAS, The Federal Patient Self-Determination Act requires hospitals, nursing homes, hospice organizations, and home health agencies to inform patients about their rights, under state law, to control their medical treatment; and

WHEREAS, It is helpful to health care providers to know an individual's wishes and for an individual to have a surrogate decision-maker. Michigan, by repute, leads the nation in the number of adults who have a guardian. Signing an advance directive can remove the need for guardianship, a legal proceeding through which an individual loses many basic rights. The legislature has required probate courts to distribute information to potential guardianship petitioners on alternatives to guardianship. The Michigan legislature has been a leader in distributing information and fill-in-the-blanks advance directive forms to constituents; and

WHEREAS, Organizations such as the Michigan State Medical Society, the State Bar of Michigan, the Elder Law and Advocacy Section of the State Bar, the Michigan Department of Community Health, the Washtenaw County Probate Court, and the Michigan Long Term Care Ombudsman Program have participated in the distribution of information and forms for advance directives; and

WHEREAS, Michigan residents continue to face informational and emotional barriers to signing advance directives. There is a continuing need for education and for allowing each individual a meaningful opportunity to exercise her or his rights; now, therefore, be it

RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the members of this legislative body commemorate May 2006 as Advance Directive Month in the state of Michigan; and be it further

RESOLVED, That we encourage all the citizens of Michigan to take cognizance of the need for increased education about advance directives, that physicians discuss the issue with patients, and that individuals consider and express their wishes for their future care.

Adopted by the House of Representatives, May 9, 2006.



*Jay E. Randall*

CLERK OF THE HOUSE OF REPRESENTATIVES