

ADVANCED DIRECTIVES

Advance directives can provide you, your family and your health care providers with information about your wishes in the event you are unable to communicate them yourself. In South Carolina, there are two different types of healthcare advance directives: Health Care Power of Attorney and the Declaration of a Desire for a Natural Death.

Healthcare Power of Attorney

- A health care power of attorney is a document that gives you the right to appoint another person (your “agent”) to make health care decisions for you when you are unable to communicate them yourself.
- A health care power of attorney allows you to state what you want and do not want in specific situations concerning your health care.
- You may use the standard South Carolina form to complete your health care power of attorney or you may have an attorney assist you in writing the document. You must have two people witness your signature. These witnesses may not be your agents or anyone related to you.
- A health care power of attorney does not have to be notarized in South Carolina, but it is a good idea to do so.

Declaration of a Desire for a Natural Death (Living Will)

- The Declaration of a Desire for a Natural Death tells your health care team exactly what your wishes are in the event you have a terminal illness or have been unconscious for 90 consecutive days.
- The document gives direction about life support, food, nutrition and hydration once your doctor documents your terminal illness in your medical chart.
- It goes into effect six hours after two doctors document the diagnosis of a terminal illness in your medical record, or if you are permanently unconscious for ninety (90) consecutive days.
- You may use the standard South Carolina form to complete your Declaration of a Desire of a Natural Death or you may have an attorney assist you in writing the document. It must be signed by two witnesses, one of whom must be a notary. If you are in a hospital or nursing facility, state law requires that an ombudsman from the governor’s office serves as a witness.
- You must be 18 years old to sign the form.