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HEALTH

How to navigate end-of-life health care decisions

I am fascinated with the popularity of the book “Being Mortal: Medicine and What Matters in the End” by Atul Gawande, a surgeon and writer. The Baby Boom Generation appears to be struggling with the question of how to approach, in the most effective and meaningful ways, the ending of our lives. We are considering the final phase of our parents’ lives, as well as of our own lives.

I am a lawyer, not a physician. Because I write wills and trusts for clients, and assist families with the transfer of property after a family member has died, I have listened to the confidential stories of many clients. We talk about who

will receive whatever property remains after the clients have died, and we talk about who will make health care decisions for them if they reach a point where they cannot make their own. We

talk about what is valuable and important to the clients. It has been an honor to listen to many people, from many walks of life, and to learn from them.

The subject of end-of-life health care comes up frequently in meetings with clients. They talk about assisting their parents or spouses in the final months and days, and preparing for the end. I hear about instances where the patient had a living will, made his or her wishes known, and open, honest discussions occurred between physicians, patients, and family members. I also hear about, and sometimes try to help families navigate, disagreement among family mem-



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bers about the level of intervention or type of medical care a patient should receive. Family members disagree, but each family member is motivated by great love for the person who is dying.

By listening to my clients over the years, and considering the point of view of physicians and health care providers as expressed by Dr. Gawande, I have learned that honesty, courage, and gentleness matter a lot in the end. Allowing the client – the patient – to have control, so that he or she can embrace the end of life and, to the extent possible, make it meaningful is what matters.

The legal documents I prepare – the living will declaration and the health care power of attorney – are a critical part of the process. The living will declaration puts into writing the client’s choice about the health care he or she wants or does not want, if the client is in a terminal condition or a per-

manently unconscious state. The health care power of attorney states who will make health care decisions for the client if the client cannot make decisions on his or her own. Signing these legal documents, and the discussion that occurs about the documents, is part of the process of giving my clients control. This process helps the client/patient choose their own path, based on their values and wishes, through that final phase.

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