



publication provided by:  
Sedgwick County Extension  
7001 W 21st St N  
Wichita KS 67205-1759  
316-660-0100  
www.Sedgwick.ksu.edu

# Advance Directives in Kansas

Debra M. Sellers, PhD  
Erin J. Dittman

## Understanding Advance Directives

Advance directives are written documents that allow you to state how you want to be cared for at the end of your life. This is important in case you are not able to tell people what you want because of sickness or injury. Family, friends, and health care professionals can use the advance directives to carry out your wishes in case of terminal illness or an emergency. Three types of advance directives are the durable power of attorney for health care, the living will, and the do not resuscitate directive.

Advance directives can be changed at any time, and should be reviewed and updated periodically.

## Talking to Others About Advance Directives

Completing an advance directive is a serious decision. It is a good idea to talk with your physician about advance directives to ensure that you completely understand the options and ramifications of the different types. Consulting an attorney whenever you are contemplating end-of-life decisions may be helpful as well. Your individual situation may make deciding whether to have advance directives, which ones to have, and when to have them more complicated than it seems at first.

Some people find that talking to their family, a trusted friend, or spiritual advisor can be helpful in thinking through these types

## Advance Planning for Your Pets

The Perpetual Pet Care program at Kansas State University is designed to provide you with an option for planning for the care of your pets after your death. The program offers both care and assistance with finding a home for your pets that meets your requirements. For more information, contact the College of Veterinary Medicine at (785) 532-4013 or e-mail [perpetualpetcare@vet.k-state.edu](mailto:perpetualpetcare@vet.k-state.edu)

of decisions. Because advance directives are linked to illness, injury, and death, discussing them can make some people uncomfortable. However, receiving the care that you want at the end of your life is too important to be ignored just because the conversation may be a difficult one.

The American Bar Association has a “toolkit” on advance directives, and it offers these suggestions for beginning a conversation with loved ones about your wishes:

1. Begin the communication process indirectly at first; perhaps a letter or tape recording of some kind. This might help to prepare your loved ones and gives them some time to think about the topic before a face-to-face meeting.
2. Initiate the conversation by talking about the topic in the context of someone else: perhaps a friend, or a celebrity.
3. If you do not feel comfortable having the discussion, consider asking your attorney to lead the conversation.

Discussing your views and wishes with your family might lessen confusion and reduce the possibility of conflict among family members if a crisis occurs.

## How to Complete an Advance Directive

Advance directives are legal documents. In Kansas, you do not need a lawyer to complete them, as Kansas statutes offer “fill-in-the-blank” forms that you may complete on your own. It is recommended that you use these forms if you are not using the services of an attorney. However, state laws may vary so you want to be sure that you know other states’ requirements if you plan on moving or if you are caring for someone out-of-state. A good place to find more information about a state’s policies on advance directives is the health department or the state office on aging. You can also ask a physician, health care provider or financial or legal advisor for more information.

## After Completing an Advance Directive

Once you have completed an advance directive, consider talking to your family, friends, and health care providers about your wishes. Tell them the decisions that you have made, as well as the content and location of your advance directive documents. This may help avoid any confusion during a stressful time for those who love you and care for you.

Make sure that you have copies on hand, and give copies to your loved ones, doctors, hospital, financial institution (for Durable Power of Attorney for Health Care) and lawyer, if you have one. You may want to consider carrying a copy with you or at least placing a note in your wallet or purse stating that you have advance directives and where the forms can be found. You may want to consider

placing copies of your advance directives in your automobile’s glove box.

There are some private companies that can electronically store your advance directives via the Internet. Others provide bracelets to wear that indicate your wishes. There are typically fees for these services.

## Summary

Thinking about what you desire at the end of life is an important task. Communicate with your family and health care providers. Keep copies of your advance directives available in case of emergency. If you would like more information about this subject, please see additional K-State Research and Extension publications on durable power of attorney for health care, living wills, and do not resuscitate directives. Also see the list of Kansas Resources for more information.

## References

“Advance care planning: Preferences for care at end of life.” Retrieved October 10, 2007, from <http://www.ahrq.gov/research/endliferia/endria.htm>

“Advance directives and do not resuscitate order.” Retrieved October 10, 2007, from <http://www.familydoctor.org/online/famdocen/home/pat-advocacy/endoflife/003.html>

ABA Commission on Law and Aging. “Conversation scripts: Getting past the resistance.” Retrieved October 10, 2007, from <http://www.abanet.org/aging/toolkit/tool6.pdf>

Beers, M. H. (Ed.). 2006. *The Merck manual of health and aging*. New York: Ballantine.

*Durable power of attorney for health care decisions*, Kan. Stat. Ann. §§ 58-625-632.

“Frequently asked questions re: DNR’s.” Retrieved October 10, 2007, from <http://www.health.state.ny.us/nysdoh/ems/policy/99-10.html>

“Health: Out-of-hospital do-not-resuscitate (DNR) orders.” Retrieved October 10, 2007, from <http://www.dsf.health.state.pa.us/health/cwp/view.asp?a=174&q=234321>

Kansas Bar Association. “Living wills and durable power of attorney for health care.” Retrieved August 29, 2007, from [http://www.ksbar.org/public/public\\_resources/pamphlets/living\\_wills.shtml](http://www.ksbar.org/public/public_resources/pamphlets/living_wills.shtml)

Kansas Health Ethics. “Advance directives.” Retrieved August 29, 2007, from <http://www.kansashealthethics.org/index.php?topic=advdirect>

Kansas State University College of Veterinary Medicine. Retrieved October 1, 2007, from <http://www.vet.ksu.edu/depts/development/perpet/index.htm>

“Living wills and advance directives: Tools for medical wishes.” Retrieved October 10, 2007, from <http://www.mayoclinic.com/health/living-wills/HA00014>

Medline Plus. “Advance directives.” Retrieved October 10, 2007, from [www.nlm.nih.gov/medlineplus/advancedirectives.html](http://www.nlm.nih.gov/medlineplus/advancedirectives.html)

“National cancer institute fact sheet.” Retrieved October 10, 2007, from [www.cancer.gov/cancertopics/factsheet/support/advance-directives](http://www.cancer.gov/cancertopics/factsheet/support/advance-directives)

*Withholding or withdrawal of life-sustaining procedures; legislative finding and declaration,* Kan. Stat. Ann. §§ 65-28,101-28,109.

## Kansas Resources

Elder Law Hotline  
(800) 353-5337  
[www.kansaslegalservices.org/Home/PublicWeb/GetHelp](http://www.kansaslegalservices.org/Home/PublicWeb/GetHelp)

Kansas Department on Aging  
(800) 432-3535  
[www.agingkansas.org](http://www.agingkansas.org)

Kansas Health Ethics  
(316) 684-1991  
[www.kansashealthethics.org](http://www.kansashealthethics.org)

Kansas Legal Services  
(888) 353-5337  
[www.kansaslegalservices.org](http://www.kansaslegalservices.org)

Life Project  
Helpline: (888) 202-5433  
[www.lifeproject.org](http://www.lifeproject.org)

## Kansas Resources with Downloadable Forms

Kansas Bar Association  
(785) 234-5696  
[www.ksbar.org](http://www.ksbar.org) or [ksbar.lawinfo.com](http://ksbar.lawinfo.com) (page with forms)

The University of Kansas Hospital (offers forms in Spanish) [www.kumed.com/bodyside.cfm?id=2120](http://www.kumed.com/bodyside.cfm?id=2120)

## National Resources

Caring Connections  
Helpline: (800) 658-8898  
Spanish Helpline: (877) 658-8896  
[www.caringinfo.org](http://www.caringinfo.org)

National Library of Medicine and the National Institutes of Health: MedlinePlus  
[www.nlm.nih.gov/medlineplus/advancedirectives.html](http://www.nlm.nih.gov/medlineplus/advancedirectives.html)

LawHelp.org  
[www.lawhelp.org](http://www.lawhelp.org)

## Legal Disclaimer

*Advance Directives in Kansas* is designed to acquaint the reader with certain legal information about end-of-life issues. It is not designed as a substitute for legal advice, nor does it tell everything one needs to know about end-of-life issues. Future changes in the law cannot be predicted, and statements in this program are based solely on the laws in force on the date of publication. If readers have specific questions, they should seek professional advice. A resource listing of attorneys by state can be provided by the specific State Bar Association. You can locate your state bar association at <http://www.abanet.org/barserv/stlobar.html>.

Brand names appearing in this publication are for product identification purposes only. No endorsement is intended, nor is criticism implied of similar products not mentioned.

Publications from Kansas State University are available on the World Wide Web at: [www.ksre.ksu.edu](http://www.ksre.ksu.edu)

Contents of this publication may be freely reproduced for educational purposes. All other rights reserved. In each case, credit Debra Sellers and Erin J. Dittman, *Advance Directives in Kansas*, Kansas State University, June 2009.