

Health Care Proxy & Living Will

In New York State, a health care proxy and living will often go hand in hand. They are separate legal documents that could significantly impact the amount and type of medical treatment you receive if you are unable to make decisions about them due to incapacitation.

Living Will

A living will is a legal document that outlines how you want to be medically treated should you become incapacitated and are unable to express these preferences to medical professionals. A living will can address any of the following matters:

- end-of-life decisions
- health care in the event of incapacitation

- life-sustaining treatment

- do not resuscitate orders

- types of medication

- inclusion or exclusion of treatment options, depending on diagnosis

Health Care Proxy

A health care proxy is another legal document that appoints a “health care agent,” who is authorized to make health care decisions for you in the event of incapacitation. Without a health care proxy, state law may empower a surrogate to make health care decisions for you in the event of incapacitation. Under New York Public Health Law Article 29-C, the health care agent receives this decision-making power when a physician declares that the person who executed the proxy, referred to as the “principal,” “lacks capacity to make health care decisions.”

How We Can Help

Many people make the mistake of attempting to combine a health care proxy and living will into a single document. Consult with a Tully Rinckey PLLC elder law attorney to secure peace of mind in knowing your end-of-life treatment wishes will be honored. Without a health care proxy or living will, an incapacitated patient may receive medical treatments they oppose but are prescribed by law. Call Tully Rinckey PLLC in Syracuse, N.Y. and let one of our elder law attorneys prepare for you a living will or health care proxy. Call a Tully Rinckey PLLC elder law attorney in Syracuse, N.Y. We can represent individuals throughout Central New York, including Syracuse, Cicero, North Syracuse, Manlius, Liverpool, East Syracuse, Cazenovia, Baldwinsville, and DeWitt. To schedule a meeting with an elder law attorney, call 315-492-4700 or e-mail info@1888law4life.com

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to view a video about our consultation process.

Our office is minutes away from Destiny USA, formerly the Carousel Mall, and several courthouses. Located in Franklin Square, near exits for I-81 and I-690, our office is easy to get to and offers plenty of nearby parking.

If your legal matter is urgent, call 518-727-3593 to speak to an attorney 24 hours a day, seven days a week. The firm is responsive to the needs of current and prospective clients. We will respond to phone calls within normal business hours and e-mails within hours on the same business day. The quickest way to get a hold of us is by calling. During normal business hours, we have a client relations team that can put potential clients in touch with the attorney whom they need. If you call or e-mail us after hours, you should expect to hear from our office by the next business day.