

## Advance Directives: Parents and Guardians of Transition Age Youth

Happy 18th Birthday



A child's eighteenth birthday is a day of celebration, but it may also be a time of worry for parents of children with disabilities. When a person turns 18, he or she is legally an adult with the right to make his or her own decisions. This is true regardless of any disability the person may have. You may worry that your child will need help making important decisions about his or her health, finances, education, etc. You may wonder what would happen if your child becomes sick or hurt and can't make or communicate important life choices. You may have considered seeking Guardianship of your

child, but worry about the limitations this will put on your child's right to live a full and independent life.

### An Advance Directive can help.

An **Advance Directive** helps you and your child prepare for a future time he or she may not be able to make informed decisions or communicate his or her wishes. Any or all of the following options described below can be included in an Advance Directive:



- Your child can choose an **Agent** to make decisions for him or her if his or her doctor finds that he or she is no longer able to make informed choices about healthcare. Unlike a Guardian, an Agent can make healthcare decisions when necessary while still allowing the individual the right to make decisions he or she is able to make.
- Your child can give **Health Care Instructions** to their loved ones and doctors so that they know exactly what kinds of treatments work best for him or her. By putting their wishes in writing, they can help ensure that their care will be efficient and informed. Your child can give instructions on all kinds of care—anything from medications to end-of-life care.

Many people who make Advance Directives find that appointing an Agent to make decisions for them is especially helpful. Before your child appoints an Agent, here are some things to keep in mind:

- An Agent can be a parent, relative, or other trusted adult.
- Your child should talk to the Agent about his or her wishes about future healthcare.
- An agent should be someone who is readily available and reachable in times of emergency.

- You and your child should speak to the person chosen as agent to be sure he or she is willing and able to take on the responsibility.

### **Now What?**

There are several ways to make an Advance Directive.

- You and your child can use a sample form. A few sample forms can be found here: <http://www.virginiaadvancedirectives.org/picking-an-ad-form.html>
- You and your child can talk to your doctor about making an Advance Directive.
- You can hire an attorney to complete an Advance Directive.
- If you have any questions about Advance Directives, call us! dLCV advocates are available to answer your questions every Monday, Wednesday and Friday from 8:30 until 4:00. Our toll-free number is:



800-552-3962

Once your child's Advance Directive is written, it needs to be signed in the presence of two witnesses. Virginia does not require it to be notarized, but it is a good idea to do so if possible. Once you have the necessary signatures, you should give copies to the Agent, doctors, and other trusted family members. Make sure to keep a list of who has copies of your child's Advance Directive. If changes are made to it later, your child will want everyone to have the newest version.

Your child can also register his or her Advance Directive online at [www.virginiaregistry.org](http://www.virginiaregistry.org). If you have any questions about registering your child's Advance Directive, you can call the registry's Help Line at 800-224-0791.

If your child needs your assistance in making **educational** decisions, he or she can appoint an agent for those decisions. For more information see: [http://www.doe.virginia.gov/special\\_ed/index.shtml](http://www.doe.virginia.gov/special_ed/index.shtml)

If your child's main **financial** resources are through Social Security, your child can ask Social Security for a Representative Payee to receive the monthly checks on his or her behalf. Check out the following website for more information: <http://www.ssa.gov/payee/>