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## Why A Living Will And Appointing A Health Care Representative Are Necessary

WRITTEN BY KRISTINE M. CARRANCEJA-GURSKI, ESQ.

**You probably think that having a Living Will is something that people only need when they are elderly or have serious health issues. After all, many hospitals ask you to complete this form upon admission, often when you are already in pain or under extreme stress. You might also think that your family can make these easily decisions for you if you become unable to decide for yourself.**

But think about a situation where a beloved elderly mother is admitted to the hospital already unconscious. With no written direction from her about her wishes, the decision was left on her adult son to continue performing CPR after her heart stopped beating, twice. Even when it became clear that she was no longer conscious of her surroundings, the pain and guilt of signing the DNR form ending his own mother's life was unbearable.

Consider the asthmatic 30 something male who walked into the emergency room with breathing problems. After signing a Living Will thinking he was only having asthma issues, he checked off on the form that he did not want life sustaining treatments, not understanding fully what this entailed. His condition deteriorated rapidly and he tested positive for COVID-19. Although life sustaining treatments could have provided him with a fighting chance against the virus, the hospital had to honor his wishes as stated in the Living Will he signed upon admission, and he died.

When we do not prepare for these situations, it becomes necessary for others to make decisions for us. Sometimes, their decisions are not the ones we would have made for ourselves; or worse, even if we made these decisions, they were not well thought out at the time. Having a Living Will and appointing a Health Care Representative in advance of these unexpected

situations will ensure that your wishes are known even when you are incapable of expressing them and will give you the opportunity to understand what the effects of your choices could be.

A Living Will (also called an "Advance Directive") allows you to express your desires related to end-of-life care when you are incapable of making an informed decision. It addresses your wishes when deciding

- Whether to continue treatment when you are unconscious or have a terminal condition
- Whether to continue experimental treatment
- Whether to continue providing you with nutrition, fluids and/or pain relief

Appointing a Health Care Representative (also known as a "Medical Power of Attorney" or a "Health Care Proxy") allows you to choose a person to be your voice in making medical decisions on your behalf. In choosing your Health Care Representative, you should consider who knows your what preferences and values are, so that he or she can carry out your wishes in the manner that you want and make decisions with your best interests in mind.

**At The Matus Law Group, we believe in planning for these situations. We can provide you with the guidance that you need and the options you have to make these decisions now instead of when you're under stress – or worse, when it is too late. A medical crisis could happen at any age but with the proper legal documentation in place, you can ensure that your wishes for end-of-life care are known and that your medical needs are provided for, when you are unable to speak for yourself. If you would like to know where to start, call The Matus Law Group today.** 