

## The “Living Will” or the WILL TO LIVE?

Many people do not want a lot of medical technology, unnecessary *medical treatment*, or *extraordinary treatment* prolonging the last few hours or days of their lives. The so-called “Living Will” allows for this but is it the best option?

The average person considers a *terminally ill* patient as one who will inevitably die.

The definition of “terminal” as defined by Webster's is “of or in the final stages of a fatal disease.”

According to current legal practice, however, the “Living Will” considers you to be in a “terminal” condition if you would end up with a permanent disability of some kind—even if your life could be saved by medical treatment.

Consider: A limp that can't be corrected is irreversible.

Permanent memory loss is irreversible.

But are these truly “terminal” conditions as “in the final stages of a fatal disease”?

Under the “Living Will,” however, conditions such as these would be considered irreversible and you would legally be defined as being “terminal”—a **basis for withholding treatment.**

■ **The laws of most states consider providing you with food and water to be “medical treatment.”**

■ **Under the terms of a “Living Will,” medical treatment—even in the form of food and water—can be withheld if you are considered terminally ill or in an irreversible condition. Plainly, you would qualify to be starved to death.**

### Why the WILL TO LIVE *Durable Power of Attorney?*

- It is precise
- It is specific
- There will be no confusion about your wishes
- And remember, you can not be starved to death

Some other documents of this nature, while written with good intentions, are unfortunately insufficiently protective. From a legal perspective, many of these other documents are worded in such vague terms that the document becomes unenforceable.