

5 Top Rights of Competent Adults

As a competent adult, 18 years old and older, you have the right to make your own health care choices, to write down your choices in planning documents, and to have your choices honored all through your life.

1. The Right to Information

You have the right to adequate information to make informed choices regarding:

- your current medical condition and future potential medical outlook;
- your options for treatment, and the benefits and the risks of each treatment option;
- the expected outcomes from each treatment options.

Adults with serious advancing illness in assisted living residences, hospitals, clinics & long term care facilities, have the right to receive information about a full range of end of life care options, including advance care planning, palliative care and hospice care.

2. The Right to Make Choices and to Accept and to Refuse Medical Treatments

You have the right to make health care choices based on your care goals, priorities, values and religious beliefs. You can choose the care you want and the care you do not want, including medications, surgery, life-sustaining treatments and end of life care.

- You have the right to make these choices even if others think your choices are unwise;
- You can change your mind about your care choices any time you want.

3. The Right to Make a Plan and Communicate Your Choices in MA Planning Documents

You have the right to make a health care plan with your care provider that promotes your everyday wellness and helps you plan for future care. You have the right to communicate your choices in Massachusetts planning documents. Your personal health care plan becomes a roadmap for you, your family, Health Care Agent, and care providers to follow. Beginning at 18 years old, you can:

- Choose a Health Care Agent to make care decisions on your behalf in a *Health Care Proxy*;
- Give your Agent information and instructions about the care you want in a *Personal Directive*;
- Choose a trusted person to arrange & pay for care on your behalf in a *Durable Power of Attorney*;
- Choose life-sustaining treatments that are acceptable to you in a Medical Orders for Life-Sustaining Treatment form (*MOLST*) and a *Comfort Care/Do Not Resuscitate Order (CC/DNR)*.

You have the right to have a copy of your Health Care Proxy, MOLST or CC/DNR scanned or placed into your medical record.

4. The Right to Update Your Plan and Review Your Medical Record

You have the right to revisit and revise your planning documents and add new documents as your health needs, choices, and priorities change over time. You have the right to review your medical record to ensure your documents and doctor's notes are accurate and reflect your current choices. You can ask to:

- Make corrections or amendments to the record as needed;
- Ask for copies and have copies sent to anyone you want.

5. The Right to Have Your Choices Honored All Through Your Life

You have the right to have your choices followed by all your care providers. Your care providers should:

- Offer the best possible care that reflects your values and choices all through your life; and
- Honor the choices of your Health Care Agent when making health care decisions on your behalf.

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Read More About Massachusetts Laws and Regulations

1. Patient Rights to Make Their Own Health Care Decisions

- Massachusetts Patients' Rights Statute, Chapter 111, Section 70E. <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVI/Chapter111/Section70E>
- Patient Self-Determination Act (Federal). <https://www.law.cornell.edu/uscode/text/42/1396a>

2. Health Care Proxy Law: Massachusetts General Law, Ch. 201D.

<https://malegislature.gov/Laws/GeneralLaws/PartII/TitleII/Chapter201D/Section1>

3. Durable Power of Attorney: Massachusetts General Law, Ch 190B; Art. V, Sec. 5.

<https://malegislature.gov/Laws/GeneralLaws/PartII/TitleII/Chapter190B/ArticleV/Section5-501>

4. Medical Orders for Life-Sustaining Treatment (MOLST)

http://molst-ma.org/sites/molst-ma.org/files/DHCQ_560.pdf; and <http://molst-ma.org/>

5. Comfort Care/Do Not Resuscitate Authorization Form

<http://www.mass.gov/eohhs/docs/dph/emergency-services/comfort-care-form.pdf>

6. *Know Your Choices: A Guide for Patients with Serious Advancing Illness.*

<http://www.mass.gov/eohhs/gov/departments/dph/programs/hcq/ppgi/initiatives/end-of-life-care.html>

7. Patient Rights to Review Medical Records

- The Health Insurance Portability and Accountability Act (HIPAA)
<http://www.mass.gov/eohhs/gov/laws-regs/privacy-security/dmh/privacy-practices-hipaa-notices-and.html>