



Advance Planning Glossary

Here are the legal terms you'll need to know to document your final wishes.

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ADVANCE DIRECTIVES – A broad term that includes documents variously called living will, health care power of attorney, health-care proxy, durable power of attorney for health care decisions, medical directive or other related names. All these documents allow people to give instructions specifying what actions should be taken for their health and who should make decisions for them in the event that they can no longer make decisions due to illness or incapacity.

CONSERVATOR – A person appointed by a court to manage someone else's financial affairs when that person is unable to do so alone.

DO NOT RESUSCITATE (DNR) ORDER – A medical order that instructs medical personnel not to use cardiopulmonary resuscitation (CPR) or ventilation if the person is not breathing or has no pulse after suffering cardiac or respiratory arrest.

ELDER LAW ATTORNEY – A lawyer who specializes in laws pertaining to the rights and issues of older adults, including estate planning, probate health care decisions, retirement planning, Medicare and Medicaid, long-term care, residential planning, and elder abuse.

FIVE WISHES – A national advance directive written in simple language that helps start important conversations about care. It combines the living will and health care power of attorney documents and addresses matters of comfort care, spirituality, forgiveness and final wishes. Created by the nonprofit organization Aging With Dignity.

GUARDIAN – A person appointed by the court to be responsible for the care and management of another person whom the court has determined is no longer capable of making independent decisions.

HEALTH CARE POWER OF ATTORNEY – A kind of power of attorney in which someone (the grantor) appoints another person — such as a spouse, adult child, friend or faith leader — to make health care decisions should the grantor become unable to do so. Also called a health care proxy.

INCAPACITY – A court determination concerning the ability of a person to make self-care or financial decisions. People are presumed to have capacity unless there is evidence to the contrary.

LETTER OF INSTRUCTION – A personal letter that may include instructions for planning a funeral and the names of people to contact upon death. The letter may also include a list of accounts and the phone numbers of employers, insurance agents or brokers. The final part often names the people who should receive personal items not included in the will. Special messages for family members may also be included. The letter often accompanies a will.

LIVING WILL – A legal document that communicates wishes about lifesaving medical treatments in the event a person has a terminal condition and is unable to communicate health care directives.

LONG-TERM CARE OMBUDSMAN – A person who investigates and resolves complaints on behalf of residents of nursing homes and other long-term care facilities.

PATIENT SELF-DETERMINATION ACT – A federal law requiring hospitals to uphold patients' rights to make personal health care decisions. According to the act, a patient has the right to refuse treatment and resuscitative measures.

WILL – A legal document that communicates how a person wishes personal assets and property to be passed on after death.

This article is part of a new AARP campaign to educate women about long-term care planning. AARP advocates nationally and at the state level to improve access to affordable long-term care options.