

## Dr. Tortora Handout

### TAKE HOME MESSAGES FOR MEDICAL DIRECTIVES

- Living wills and advanced directives are basically the same thing.
- It is important to have a power of attorney (POA) or health care proxy named, and it is also important to make sure that the person you name is aware that they are your POA as well as what you would want.
- A living will is not the same as a regular will: it is strictly for medical care.
- Your living will needs to be brought to the hospital to go on file.

#### There are two living wills available:

1. **Alaska Advance Health Care Directive** - available online for free.

2. **Five Wishes** - available through Hospice, Medical clinics, and SPH for free.

Both have both POA and health care choices.

Both are only good in the hospital and are not valid for the ambulance.

**POLST** form covers the ambulance, and home. It is filled out with your physician or their representative and is signed by your provider. It does not have a place to put in your health care proxy/power of attorney.

*Therefore, you need to have both a POLST and one of the above advanced directives.*

**COMFORT ONE** is being used less, *POLST is preferred.*

Keep a copy at home in a clearly marked envelope, and bring one to the hospital.

**DNR** is Do Not resuscitate. That means that you don't want anyone to put a breathing tube in your lungs or to do chest compressions or attempt to restart your heart with electricity or meds.

A **living will** can always be reversed; if you are in the hospital and decide you want everything done, then you just have to tell them. This happens frequently.

It is important to think about what is important to you if you are terminally ill. I recommend looking at **The Conversation Project** website, as they have a number of free guides to help you.

**What Matters to Me** is a workbook for what is important to you as you deal with terminal illness. Consider using that to help identify what you want as you move forward, and it's a great tool for your care provider and your family as well. They also have guides for health care proxies. Just search "The Conversation Project" and you will find free guides on their home page that are available to copy.

# Resources

## ADVANCE CARE PLANNING

### Compassion and Choices

<https://compassionandchoices.org>

### Five Wishes

<https://www.fivewishes.org>

### POLST

<https://polst.org>

## LEGACY

### Hospice of Homer - Memory Keeper Program

907-235-6899

Volunteers meet with clients and document their stories.

### StoryCorps

<https://storycorps.org>

### The Stanford Letter Project

<https://med.stanford.edu/letter.html>

## TALKING ABOUT DEATH?

### The Conversation Project

<https://theconversationproject.org>

### Hospice of Homer - Walking Each Other Home Program

907-235-6899

Death Doula Volunteers meet with clients to talk about their End of Life Wishes..

## DEATH CURIOUS?

### The Order of the Good Death

<https://www.orderofthegooddeath.com>

### Reimagine End of Life

<https://letsreimagine.org>

### The Death Deck

<https://thedeathdeck.com>

## DEATH PODCASTS

### TED Radio Hour: Rethinking Death Series

### The Art of Dying Well Podcast

### End of Life University

### When You Die

### Dying Matters

Updated March 2026



**HOSPICE**  
*of* **HOMER**

*Compassion in Action*

## Lindsay Wolter Handout

### Durable Power of Attorney

- Legislatively created form
- Designate agent(s) to act on your behalf for *non-medical* decisions
- May be effective immediately *or* at the time when you are unable to make your own decisions
- Can be terminated or updated at any time during your lifetime
- Is effective only while you are alive
- <http://www.courts.alaska.gov/shc/family/docs/poa-booklet.pdf>

### Advance Health Care Directive

- Legislatively created form
- Designate agent(s) to act on your behalf for *only medical* decisions
  - Provide guidance to your agent(s)
- May be effective immediately *or* at the time when you are unable to make your own decisions
- Can be terminated or updated at any time during your lifetime
- Is effective only while you are alive
- <http://dhss.alaska.gov/dph/Director/Documents/advancedirective.pdf>
- Compassion & Choices: [www.compassionandchoices.org](http://www.compassionandchoices.org) / Five Wishes

### Living or Community Property Trusts

- Avoids probate
- You are the trustee of your trust
- Names Successor Trustee
- States how assets in trust are to be distributed after your passing
- Can be amended or revoked
- After creating the trust, you must “load” the trust (put assets into it)
  - personal property loaded when trust signed
  - real property via quitclaim deed
  - financial accounts via Pay Upon Death beneficiary form *or* put into trust
  - USCG documented vessels
  - Title to vehicles if over \$100,000
  - LLC/Corporation ownership
- Generally create a trust and “pour-over” will at same time

### Transfer on Death Deed

- Great for some (simple) situations; possible to avoid having a trust
- Does not work for everyone – not a complex estate planning tool
- Possible delay in sale of property

## Last Will and Testament

- Does not avoid probate, but does allow you to direct how your assets will be distributed (otherwise law of intestate succession would apply)
- Written in your own handwriting and signed *or* typed, signed, witnessed by two people, and notarized
  - Do NOT write on your will after it is signed; amendments should be done formally and are called “codicils”
  - DO keep your original in a safe place as the court will want the original for probate. You can file it with the court for safekeeping.
- Identifies your Personal Representative/Executor, serve without bond
- States how your assets are to be distributed after your passing

## Miller Trusts (aka Qualifying Income Trusts)

- Designed to qualify for Medicaid
- Must name another person as trustee
- Must be irrevocable – can only be terminated upon court order or death of the beneficiary
- Limited in how money in trust can be spent, depending on Medicaid eligibility category
- Upon your passing, the state receives all amounts remaining in the trust up to an amount equal to the total Medicaid benefits paid on behalf of the recipient (which usually means all of the money)

## Common Questions

What is probate?

How much does it cost?

How long does it take?

Will others inherit my debt?

Does my Successor Trustee or Personal Representative receive payment?

Do I have to name each asset and how I would like it to be distributed in my Will/Trust?

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