

WATCHTOWER

BIBLE AND TRACT SOCIETY OF NEW YORK, INC.

LEGAL DEPARTMENT

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TO ALL CONGREGATIONS IN THE UNITED STATES

Dear Brothers:

With this letter we have sent each congregation updated health-care durable power of attorney (DPA) or proxy forms and question-and-answer guides. The secretary should make good quality, single-sided photocopies of the forms and question-and-answer guides for baptized publishers who request them. Publishers should use the form for the state in which they reside. If there are publishers in your congregation who reside in a neighboring state, upon request we will send you the materials for that state. Also, if a publisher moves to another state, he should execute a new form for that state. However, unlike our "Advance Medical Directive/Release" card, the DPA or proxy forms do not have to be executed each year. Finally, publishers who have filled out the previous DPA or proxy forms may fill out the updated form to take advantage of its new provisions, but this is not necessary.

With you in Kingdom service, we are

Your brothers,

Watchtower B. & T. Society
OF NEW YORK, INC.

P.S. TO BODIES OF ELDERS ONLY: The congregation secretary should keep the three DPA or proxy forms and question-and-answer guides as his originals for duplication purposes only. Any unused copies of the old DPA or proxy forms and question-and-answer guides the secretary or elders may have should be discarded.

Information About the Society's Health-Care Durable Power of Attorney (DPA) Forms*

1. Should all baptized publishers fill out the DPA forms? [As stated in the December 1995 *Our Kingdom Ministry* Question Box, "it is a personal decision each one must make. However, ... we should seriously consider whether we have done all we can to keep ourselves free from a God-dishonoring blood transfusion.—Prov. 9:9."]

2. Should publishers fill out both the Medical Directive card and the DPA form? [Yes, if they want the best protection against an unwanted blood transfusion. Unlike the Medical Directive card, the DPA forms are based on or are patterned after statutory forms that hospitals and doctors throughout the U.S. are now quite familiar with. Indeed, at the time of admission most hospitals will hand patients a similar-type form to fill out. In addition, these forms cover important information that could not be included on our Medical Directive card, such as (1) specific language regarding minor blood fractions and autologous blood, (2) instructions for other health-care matters such as end-of-life decisions, and (3) provisions for formally appointing an agent to make health-care decisions for the Witness patient when he is unable to do so for himself. Thus, it is important to indicate on our Medical Directive card that we have filled out a DPA.]

3. Should DPA forms be filled out only by those going into the hospital? [No, they may be filled out by all baptized publishers since time and unforeseen occurrence can befall us all. (Ecclesiastes 9:11) Just as we fill out the Medical Directive card in the event of some unexpected medical crisis, we should do likewise with these more detailed forms. Also, these forms address serious health-care questions that require much time and forethought. Thus, it could be a mistake to wait until entering a hospital when other urgent concerns or even one's physical condition could make filling out the form more difficult, if not impossible.]

4. May elders approach baptized elderly ones or those who may not fully understand the importance of these forms to assist them in filling them out? [Yes. The elders will probably save themselves and others much time and anxiety by spending time helping such ones before a medical crisis arises.—Proverbs 22:3.]

5. May DPA forms be given to "unbaptized publishers"? [Yes, if the person is dedicated and soon to be baptized. Of course, unbaptized publishers should recognize the seriousness of refusing a blood transfusion under any and all circumstances.]

* The title of the health-care durable power of attorney forms the Society's Legal Department has prepared vary from state to state depending on state law. For example, California's form is called a "Durable Power of Attorney for Health Care," Michigan's form is called a "Health Care Directive and Designation of Patient Advocate," New York's form is called a "Health Care Proxy," etc. Because there are so many different titles to these forms, the Society's Legal Department has generally referred to them as DPA (Durable Power of Attorney) forms in this information sheet.

6. May DPA forms be given to minors? [Yes, especially baptized minors. Baptized minors may also wish to execute a new form each year on or after their birth date, until the age of 18. The younger the minor, however, the less likely it is that a court will honor such a form.]

7. May responsible brothers be appointed as health-care agents for publishers in the congregation? [Yes. However, both the prospective agent and the person selecting an agent should carefully read the entire section entitled "Health-Care Agent" in the question-and-answer guide which accompanies each DPA. This information will help all concerned understand the seriousness of being a health-care agent.]

8. May publishers leave a copy of their completed DPA with the secretary to be included in the congregation files? [Yes. The congregation secretary can include them in the congregation files. More important, each individual should also provide copies to his doctor, agent, alternate agent, etc., as recommended in the question-and-answer guide.]

9. If a publisher resides in one state and goes to a Kingdom Hall in another state, which state's form should he fill out? [The form for the state in which the publisher resides.]

10. If a publisher is scheduled to have surgery at a hospital located in a state that is not his state of residence, should the publisher execute a DPA form for the state in which the hospital is located? [This answer varies from state to state depending on the law. Please call (or write) the Society's Legal Department in Patterson, New York at (914) 878-7000, for the answer to such questions.]

11. If the congregation is in need of additional DPA forms, what should be done? [As the September 20, 1995, letter from the Society's Legal Department explained, each congregation should keep originals on hand to make their *own* good, clear 8½" x 11" single-sided photocopies. (It is no longer necessary to make double-sided copies in the folder-type format.) If for some reason the congregation's originals are damaged and additional originals are needed, you may write the Society's Legal Department.]