



Health Care Directives: Out with the Old and In with the New?

As a firm specializing in elder law, we constantly stress the importance of revisiting your estate plan regularly to ensure no changes need to be made. This idea is based around the notion that the world around us is in constant change. Guess what? We are in constant change too, including our health.

Two types of planning documents we would like to highlight now are the Advance Health Care Directive (AHCD) and the new Delaware Medical Orders for Scope of Treatment (DMOST).

You may already be familiar with the AHCD, which is a legal document allowing residents 18 years or older to express their healthcare wishes in the event

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of a future medical crisis. The AHCD goes into effect if a patient is unable to communicate with their healthcare provider themselves. It does three things: it allows a person to make their own end-of-life healthcare decisions in advance; it allows a person to be specific about any anatomical gifts they wish to make at their death, including organ donations for any purpose authorized by law; and it allows patients to nominate a medical agent to make treatment-related decisions if they become incapacitated.

Simply put, this excellent pre-planning document allows you to express your wishes in advance, and helps to ensure that your agent has confidence and peace of mind in making decisions when acting on your behalf.

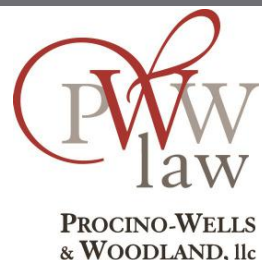
In 2015, the Delaware Medical Orders for Scope of Treatment Act was passed. You may have heard of the DMOST as a new kind of health care directive. Quite the contrary. A DMOST is a standing medical order that describes to healthcare providers what medical actions to take in the event of a medical emergency and during end-of-life care. It sounds similar to an AHCD, but there are significant differences. A DMOST is an appropriate addition to a person's planning when they are faced with a terminal illness and/or life expectancy of less than one year, and feel strongly that they do not want emergency measures taken.

A DMOST is drafted with a physician, advance practice registered nurse, or physician's assistant, and transfers among different settings. With clinical involvement, a DMOST results after a meaningful conversation between provider and patient to discuss the realities of their health and to be empowered to make the most informed decision about care. Where an AHCD allows our loved ones and named agent(s) to understand our wishes early and serves us when our health allows our loved ones the time and setting to present it, a DMOST serves us when we and our healthcare teams expect the end of our life is near and when it is important to us that no matter the circumstances, our wishes for end-of-life treatment are followed.

In a health crisis it is common to experience frequent

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transitions. We may find ourselves seeing our physicians more regularly, and traveling to different facilities to receive treatment. Ambulance rides might become necessary, to and from a hospital or to a post-acute setting like a nursing home or hospice. Because the DMOST is signed by a provider, it travels with us wherever we go, and every healthcare professional in every setting a patient may transition through can honor our wishes. The DMOST can be used to ensure that, between doctor's office, ambulance, hospital, nursing home, etc., our wishes for end-of-life care will be recognized and honored.

Planning for the end of our lives will never be our favorite chore. But, if we plan carefully, review our estate documents regularly, and make use of the most up-to-date resources available to us, we have the tools to express our end-of-life wishes early, and give our loved ones and healthcare team the confidence to carry them through.

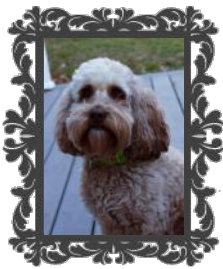
A PWW CHRISTMAS IN NYC



Rather than celebrate the 2016 holiday season with a Christmas party as we have done in the past, we headed to the Big Apple. In addition to exploring the city, we were able to attend a showing of the magical Radio City Christmas Spectacular and treated ourselves to a large family-style dinner at Carmine's.

BELLA'S BRIEF

The Office from a Dog's Perspective



If you haven't been to our offices you are missing out on the sweet and buttery aroma of freshly baked homemade cookies.

When we serve them to our clients I secretly wait for the plate to come back with a few crumbs that need cleaning up. There was a time when I could eat all the sweets I could stomach without gaining an ounce, but anymore, all I have to do is smell the stuff and my rain slicker won't fit.

So I came up with a strategy to avoid the temptation: stay home! I especially liked this plan on

Mondays. It was working out just fine until one day the door opened and what looked like 14 jolly elves started filing through. They had bags, boxes, and all kinds of kitchen paraphernalia. The stoves were cranked on, the bags unloaded and in a matter of minutes my safe space was turned into an industrial sweet shop. The unexpected activity and scent overload sent me into a tailspin, literally.

Once I settled down I realized the team missed me and that's why they came up with the plan to bake homemade cookies to give away this year. They even let me help. Don't worry, I only licked the icing on a few.

xxoxo Bella 

TIME OUT — STAFF PROFILE

Mindi K. Oliphant
Estate Planning Assistant

ON THE CLOCK:

Mindi K. Oliphant is a local girl, born and raised in Millsboro, Delaware. She is a 2012 graduate of Sussex Central High school. Mindi is currently pursuing a degree in Health Administration from Wilmington University. In April 2016, Mindi, joined the Procino-Wells & Woodland team as an Estate Planning Assistant/Receptionist in our Lewes office.



Mindi greets and seats our clients in the Lewes office. In addition to managing the front desk, she is also an integral part of the Estate Planning department. Not only does Mindi print documents to be signed, but she provides aid with getting clients' trusts fully funded.

OFF THE CLOCK: Mindi values traditions and makes spending quality time with family a priority. As a true local, she enjoys the surf and sand of the Delaware beaches, but also takes pleasure in travelling to other coastal communities, like the Outer Banks.

UPCOMING EVENTS

What is on our Calendar?

January 6 — Professional Continuing Education Course; Elder Law Basics, 8:00 am - 12:00 pm, Abbott's Grill in Milford

January 31 — Elder Law Workshop; 5:30 - 7:00 pm, Milford Public Library

February 27 — Elder Law Workshop; 6:00 - 7:30 pm, Lewes Public Library

March 13 — Osher Lifelong Learning Institute - Elder Law Course Available; Mondays through April 10, 9:00 - 10:30 am, Lewes, Delaware

April 14 — Offices Closed; Good Friday

For more information, visit www.pwwlaw.com.

LEGAL MUMBO JUMBO

Legal Language in Layman's Terms

GUARDIAN

A legally appointed person who is given custody of both the property and the person of someone who is unable to manage their own affairs. Typically this is an under-aged child or a disabled person.

A note from the attorneys...

And we're off...the start of the new year can seem like a race to an invisible finish line. It's easy to get caught up, even lost, in the activity of our everyday lives and miss important moments. For that reason, we closed our offices the last week of the year for the first time in our history. We felt it was important for our team to take a breather, spend time with the people they care about, and reenergize. Now we look forward to embracing 2017 and all it has to offer. Happy New Year!

Michele & Owen



**PROCINO-WELLS
& WOODLAND, llc**

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Planning today to protect your family's tomorrow.



OFF THE CLOCK

We would like to thank our featured referrer of the month:



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