

Medicare Advantage Advance Directives

You have the right to give instructions about what is to be done if you are not able to make medical decisions for yourself. This is called an “advance directive.”

An advance directive (also known as a “medical directive”) is a legal document that states your wishes about life-support or other medical treatment in certain circumstances, usually when death is imminent. It allows you to put in writing ahead of time your wishes for medical care, including the right to accept or refuse medical or surgical treatment. If you ever become unable to communicate, your family and healthcare providers will know your wishes.

There are different types of advance directives and different names for them. Documents called a “living will” and a “power of attorney for healthcare” are examples of advance directives.

Signing an advance directive

If you want to use an advance directive to give your instructions, here is what to do:

- **Get the form.** You can get an advance directive form from your lawyer, a social worker, or some office supply stores. You can sometimes get advance directive forms from organizations that give people information about Medicare. We have also included an online link to a form under “Advance Directive Forms.”
- **Fill it out and sign it.** Regardless of where you get this form, keep in mind that it is a legal document. You should consider having a lawyer help you prepare it.
- **Give copies to the right people.** You should give a copy of the form to your doctor (to include as part of your medical record) and to the person you name on the form as the one to make decisions for you if you can't. You may want to give copies to close friends or family members as well. Be sure to keep a copy at home.
- **Remember, it is your choice whether you want to fill out an advance directive.** This includes whether you want to sign one if you are in the hospital. According to law, no one can deny you care or discriminate against you based on whether or not you have signed an advance directive.

- If you know ahead of time that you are going to be hospitalized, and you have signed an advance directive, **take a copy with you to the hospital.**
- If you are admitted to the hospital, they will ask you whether you have signed an advance directive form and whether you have it with you.
- If you have not signed an advance directive form, the hospital has forms available and will ask if you want to sign one.
- If you have signed an advance directive and you believe that a doctor or hospital hasn't followed the instructions in it, you may file a complaint with the Rhode Island Department of Health, Cannon Building, 3 Capitol Hill, Providence, RI 02908.

Advance directive forms

An advance directive form is available for Rhode Island residents. The Rhode Island Rights of the Terminally Ill Act Declaration (living will form) is available online at: health.ri.gov/lifestages/death/about/advancedirectives/.

Blue Cross & Blue Shield of Rhode Island's advance directive policies

Blue Cross & Blue Shield of Rhode Island (BCBSRI) must follow state laws on advance directives. To ensure this, we have policies in place, which are available for all BCBSRI staff to review, that note:

- BCBSRI will not approve or deny care or otherwise discriminate against you based on whether or not you have signed an advance directive.
- Doctors and other healthcare providers may not give or deny care or otherwise discriminate against you based on whether or not you have signed an advance directive.
- Doctors and other healthcare providers may not require you to sign an advance directive before treatment or refuse to treat you strictly because you signed an advance directive.
- BCBSRI expects participating providers to tell you about the use of advance directives.

Also, BCBSRI must provide community education regarding advance directives. Please call the Medicare Concierge team for more information.

(continued)

Filing a complaint

You have the right to file a complaint if you believe BCBSRI is not following rules about advance directives.

To file a complaint, you may:



CALL: The Medicare Concierge team at **(401) 277-2958** or **1-800-267-0439** (TTY: 711).
Hours: **October 1 – March 31**, seven days a week, 8:00 a.m. to 8:00 p.m.
April 1 – September 30, Monday through Friday, 8:00 a.m. to 8:00 p.m.;
Saturday, 8:00 a.m. to noon.
You can use our automated answering system outside of these hours.



FAX: **(401) 459-5668**



WRITE: Blue Cross & Blue Shield of Rhode Island
Grievances and Appeals Unit
Medicare Advantage
500 Exchange Street
Providence, RI 02903

500 Exchange Street • Providence, RI 02903-2699 • bcbstri.com/medicare



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