



Frequently Asked Questions (FAQ'S) **For MAP Facilitators Training and Website Posting**

1. Can I get help making copies?

For peer members of Interlink or the Wellness & Advocacy Center completing Making A Plan documents in those programs, they can provide you with copies needed to distribute your MAP documents. Another way to make copies of your documents is at any Sonoma County library. All you need is a library card.

2. Can my AHCD be signed and witness electronically or must it be done in person?

For now, AHCD's must be signed in ink, in person, and the same day/time that YOU are signing it as they are witnessing your signature. New proposed laws are coming soon that will allow electronic witnessing and notarization.

3. How do I send my documents electronically?

First of all, you will need to scan your documents to an email address or onto a thumb drive. After that, you can send your documents in a couple of different ways:

- a. You can upload your documents through your health care organization's application.
- b. You can send your document to your doctor through electronic messaging applications.
- c. You can use a flash drive to upload your documents by scanning documents to your flash drive. The library offers this service at no charge and can help you do that. You can then save those from your flash drive to your computer and then email document to your health care provider by using a laptop or computer. Or you could bring your flash drive wherever you want to share your documents and they could make a copy from your flash drive.

4. What is an agent?

An agent is someone who knows you best and is willing to make health care decisions—based upon YOUR wishes—if you are unable to make those decisions yourself. If you are in an accident and suffer a head injury, who would the Emergency Department call to make decisions on your behalf?

5. Who should be my health care agent?

It is important to ensure that your agent can make important decisions in a stressful environment AND is dedicated to making those decisions based on your wishes and desired healthcare outcomes.

6. What is a notary, where do I find one and does it cost money?

A notary is a specially trained and certified individual who is bonded and can legally witness signatures. Many banks provide free notarization services at no or low cost to their members.

In addition, notarization services are available at UPS stores and cost about \$25.00 for each document.

7. Do I have to have the document notarized?

No, 2 witness signatures are acceptable. These witnesses are witnessing YOU sign your document, so it's important to not sign your completed AHCD unless they are both in your presence and ready to sign! All the dates must be the same.

8. Can I use this to indicate my choice to have physician assisted dying?

No. The California End of Life Options Law has requirements that must be met. The Advanced Directive is invoked when you no longer have the ability to make healthcare decisions for yourself, while the End of Life Options Law requires you to be of sound mind, along with other criteria.

9. Can I get help filling out the Making A Plan forms?

In Santa Rosa, you can get help at Interlink and at the Wellness & Advocacy Center by appointment with a Peer Specialist trained to work as a MAP Facilitator. Ask about this at either Center to learn more and make an appointment.

10. Will the healthcare provider recognize/honor my MAP AHCD when I submit to them?

Yes. The MAP AHCD when completed and properly signed is a legally recognized AHCD under CA law. The AHCD legally names your agent, who will make healthcare decisions on your behalf when you are unable to make those decisions yourself. Your agent will be your advocate and will be responsible for working with your healthcare providers to ensure that care meets your wishes and expectations.

11. Can I designate someone on my care team to be my health care agent?

No. Current guidelines prohibit any health care team member to act as an ADHC agent for a client or patient's behalf. It's best to choose someone who knows you best and would not be involved in your direct care.

12. If I were to end up in a Court-Ordered Conservatorship, could I have a say about who the court would appoint?

In your AHCD you can "nominate" your health care agent to be your conservator should need arise. To do that add this statement below to you AHCD under "Additional Instructions:" See "Nomination of Conservator Statement" attached. Your statement would be printed in ink or typed on a separate piece of paper and attached. This statement excerpted from the CA Probate Code AHCD should read:

Nomination of Conservator Statement

If a conservator of my person needs to be appointed by the court, I nominate the agent designated in this form. If that agent is not willing, able, or reasonably available to act as conservator, I nominate the alternate agents whom I have named, in the order designated.

13. What if I don't want a person, agency or institution involved in my care?

Federal law requires that your health care providers only discuss with your designated health care agent anything about your health, conditions, treatment, status, admissions, etc. and only when you can't interact on your own behalf. They can't talk to anyone else. Before you have need, let your agent know who you do not want to have engaged in your care in any manner. You could also note that in your "Personal Requests" form and/or in your Mental Health Supportive Care Plan. It's important to let your health care agent know your wishes in this regard. Should there be a court-ordered hearing, your health agent would have a voice on your behalf and may be considered by the court if you have a Nomination of Conservator Statement in your AHCD.

14. Can my AHCD override a 5150 involuntary hold? No. Involuntary hold laws would supersede whatever is in a person's advance directive when those laws apply.

15. What is CARE Court? Would my AHCD help there? Yes your AHCD would be recognized by the CARE Court. The following excerpt from the Governor's Office Press Release 3/14/22 about Governor Newsom's CARE Court plan proposed follows. Community Assistance, Recovery and Empowerment (CARE) Court is a new framework help people with mental health and substance use disorders leading to homelessness, incarceration or worse. It would connect the person with a court-ordered client-centered Care Plan for up to 24 months and includes: a public defender and supporter to help make self-directed care decisions in addition to their full clinical team. The Plan focuses on people with schizophrenia spectrum and other psychotic disorders who also may have substance use challenges, and who lack medical decision-making capacity. CARE Court aims to advance an upstream diversion from more restrictive conservatorships or incarceration. All counties in CA would participate and be required to meet specific duties under court-ordered Care Plans. For more information: <https://www.chhs.ca.gov/care-court/>

16. What is a Psychiatric Advance Directive or PAD? A Psychiatric Advance Directive (PAD) is a legal document that details a person's preferences for future mental health treatment and names an agent to make treatment decisions if the person is in crisis and unable to make decisions. Although many states have laws that allow use of a PAD, California does not. In CA the AHCD Probate Code allows for people to use the AHCD to give instruction about physical and mental health and therefore PADs are not used in CA. Work is underway by several counties in CA joined together to pursue creation of a PAD and related legislation, training, etc. with that process expected to take several years before PAD would become law.

The Peer Pilot [Making a Plan Toolkit](#) was created as an alternative to PADs in CA and includes a Mental Health Supportive Care Plan that can be made a part of a person's AHCD to give instruction about mental health care desired in times of crisis.

17. Do I have to keep all those signing pages that I will not be using? No. You just need pages to have witnessing done properly be it two witnesses or notary, one or the other. Remove any pages you aren't using and number remaining pages initialing page numbers changed. If Mental Health Supportive Care Plan is included as a part of your AHCD that needs no witnessing pages.