STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: CALIFORNIA

REQUIREMENTS FOR ADVANCE DIRECTIVES UNDER STATE PLANS FOR MEDICAL ASSISTANCE

The following is a written description of the law of the State (whether statutory or as recognized by the courts of the State) concerning advance directives. If applicable States should include definitions of living will, durable power of attorney for health care, durable power of attorney, witness requirements, special State limitations on living will declarations, proxy designation, process information and State forms, and identify whether State law allows for a health care provider or agent of the provider to object to the implementation of advance directives on the basis of conscience.

See attached "Supplement 1 to Attachment 4.34-A" entitled "Your Right to Make Decisions about Medical Treatment." A camera-ready copy of this brochure was distributed to all hospitals, nursing facilities, home health agencies, hospices, and health maintenance organizations on November 18, 1991 (a copy of the transmittal letter is also attached). In addition, the California Department of Health Services will notify applicable Medi-Cal providers of implementation of the Patient Self-Determination Act via a "Medi-Cal Provider Bulletin" in the near future.