



Mark S. Reckman, Esq.  
Wood & Lamping LLP

## *Living Wills*

Living Wills contain instructions regarding medical treatment in the event of terminal illness or permanent unconsciousness. They must be signed in the presence of two witnesses OR a notary. The signer must be mentally competent.

Under no circumstance may an Ohioan be denied comfort care. Comfort care is defined as the minimum amount of care administered to alleviate pain and suffering but not to prolong life.

Perhaps equally important, Ohio law creates a list of persons who have the highest priority in making health care decisions in the absence of a Living Will. If there is no guardian, the decision may be made by a spouse. If there is no spouse, the majority of the adult children may decide. If there are no children, then the decision falls to the patient's parents. If there are no parents, the majority of adult siblings may direct the healthcare.

*Under no  
circumstance  
may an Ohioan  
be denied  
comfort care.*

When a patient with no Living Will becomes terminally ill or permanently unconscious, the wishes of the patient must be followed. If his or her wishes are not known, the decision must be consistent with the patient's wishes as inferred from his or her character and lifestyle. The decision maker may even elect to withhold or withdraw food and water under very specific circumstances.

State approved forms can be found at [www.proseniors.org](http://www.proseniors.org) in their Law Library.

For a FREE copy of Mark Reckman's Estate and Medicaid Handbook visit [www.WoodLamping.com](http://www.WoodLamping.com) or call (513) 852-6000