

Psychiatric Advance Directive (Advance Instruction for Mental Health Treatment)

A Psychiatric Advance Directive (PAD) is a legal tool. It lets mental health doctors know what kind of treatment you would want in a crisis. In North Carolina, it is called an Advance Instruction for Mental Health Treatment.

PADs give you a say in your treatment. They allow you to agree to or to decline future psychiatric treatment. You may also pick someone you trust to make choices for you in a crisis. These choices are based on what you put in your PAD. You should make your PAD when you are well enough to choose what you want for future treatment. PADs serve as a reference. If you become unable to make decisions during a crisis, your PAD is used.

There has been research done on the pros of PADs. It has shown that people with a PAD tend to have:

- great improvement in the relationship with their doctors,
- fewer unwanted crisis interventions,
- better correlation between preferred and prescribed medications over time, and
- a greater feeling that their personal needs for mental health services are being met

(Swanson et al., 2006a; 2008; Wilder et al., 2012)

When Are PADs Used?

A PAD goes into effect when a person cannot make decisions. A doctor decides this. Some examples of when a person may not make decisions include active states of psychosis, mania, delirium, or unconsciousness. You may use a PAD with a Healthcare Power of Attorney.

Doctors must follow a person's PAD. There are a few times when a doctor cannot follow a PAD. These include if the PAD has something that is not standard care, if what is wanted is not possible, if there is an emergency, and safety issues.

PADs are only used temporarily. They are not always used. They are only for when a person is not able to make choices about their treatment. Once the person can make choices again, the PAD is no longer used.

Advance Instruction for Mental Health Treatment in North Carolina



In North Carolina, a PAD is called an Advance Instruction for Mental Health Treatment. It allows you to consent to treatment in advance. It allows you to say what care you want during a crisis. This may include medications. It may also include what hospital you prefer.

Any adult who is well enough to think about their future mental health treatment choices can make one. It is a legal document. You must sign it in front of two witnesses. It must also be notarized. A witness is an adult who sees you sign the document. They could be your friend, your neighbor, or even a stranger.

You should talk to people close to you about the healthcare you want. Your doctor can answer medical questions that you may have. If you have questions about the law, you should talk to a lawyer.

Resources

The official NC PAD form can be found on the Secretary of State website (https://www.sosnc.gov/forms/by_title/_advance_healthcare_directives).

You can also access the form as a PDF here (https://www.sosnc.gov/documents/forms/advance_healthcare_directives/advance_instruction_for_mental_health.pdf).

The National Resource Center on Advanced Psychiatric Directives offers Frequently Asked Questions about PAD in North Carolina (<https://nrc-pad.org/states/north-carolina-faq/>).

You may find a notary near you in North Carolina through the Secretary of State website (https://www.sosnc.gov/online_services/notary/find_a_notary). They usually charge a small fee (less than \$10).

Getting Started with Psychiatric Advance Directive

Step 1. Consider what treatment(s) you would and would not want during a mental health crisis.

Step 2. Fill out the PAD form (see Resources, above).

Step 3. Find a Notary. You can find a Notary at your bank, UPS Stores, public libraries, real estate agencies, law firms, or at the Secretary of State website (see Resources, above).

Step 4. Sign the document in front of two witnesses plus the notary.

Step 5. Give a copy of your signed, notarized form to your mental health care provider.

