Notice To Person Making a Declaration For Mental Health Treatment

Chapter 137, Title 6, Civil Practice and Remedies Code

This is an important legal document. It creates a declaration for mental health treatment. Before signing this document, you should know these important facts:

This document allows you to make decisions in advance about mental health treatment and specifically three types of mental health treatment: psychoactive medication, convulsive therapy, and emergency mental health treatment. The instructions that you include in this declaration will be followed only if a court believes that you are incapacitated to make treatment decisions. Otherwise, you will be considered able to give or withhold consent for the treatments.

This document will continue in effect for a period of three years unless you become incapacitated to participate in mental health treatment decisions. If this occurs, the directive will continue in effect until you are no longer incapacitated.

You have the right to revoke this document in whole or in part at any time you have not been determined to be incapacitated. YOU MAY NOT REVOKE THIS DECLARATION WHEN YOU ARE CONSIDERED BY A COURT TO BE INCAPACITATED. A revocation is effective when it is communicated to your attending physician or other health care provider.

If there is anything in this document that you do not understand, you should ask a lawyer to explain it to you. This declaration is not valid unless it is signed by two qualified witnesses who are personally known to you and who are present when you sign or acknowledge your signature.

Declaration For Mental Health Treatment

I,							
(Optional Paragraph) I understand that I may become incapable of giving or withholding informed consent for mental health treatment due to the symptoms of a diagnosed mental disorder. These symptoms may include:							
Psychoactive Medications							
If I become incapable of giving or withholding informed consent for mental health treatment, my wishes regarding psychoactive medications are as follows: I consent to the administration of the following medications:							
I do not consent to the administration of the following medications:							
I consent to the administration of a federal Food and Drug Administration approved medication that was only approved and in existence after my declaration and that is considered in the same class of psychoactive medications as stated below:							
Conditions or limitations:							
Convulsive Treatment							
If I become incapable of giving or withholding informed consent for mental health treatment, my wishes regarding convulsive treatment are as follows:							
I consent to the administration of convulsive treatment.							
I do not consent to the administration of convulsive treatment.							
Conditions or limitations:							

Preferences For Emergency Treatment

n an emergency, I prefer the following treatment FIRST (circle one) Restraint Seclusion Medication.							
In an emergency, I pr Restraint		ving treatment SECOND (circle one) Medication.					
In an emergency, I pr Restraint		ving treatment THIRD (circle one) Medication.					
l prefer a r	male/female to	administer restraint, seclusion, and/or medications.					
Options for treatment	prior to use o	of restraint, seclusion, and or medications:					
			_				
Conditions or limitation	ons:						
Additional Preferences or Instructions							
	ons:		_				
			-				

Statement of Witnesses

I declare under penalty of perjury that the principal's name has been represented to me by the principal, that the principal signed or acknowledged this declaration in my presence, that I believe the principal to be of sound mind, that the principal has affirmed that the principal is aware of the nature of the document and is signing it voluntarily and free from duress, that the principal requested that I serve as witness to the principal's execution of this document, and that I am not a provider of health or residential care to the principal, an employee of a provider of health or residential care to the principal, an operator of a community health care facility providing care to the principal, or an employee of an operator of a community health care facility providing care to the principal.

I declare that I am not related to the principal by blood, marriage, or adoption and that to the best of my knowledge I am not entitled to and do not have a claim against any part of the estate of the principal on the death of the principal under a will or by operation of law.

Witness Signature:			
Print Name:			
Date:			
Address:			
Witness Signature:			
Print Name:			
Date:			
Address:			