

# South Dakota Living Will Declaration

*S.D. Codified Laws § 34-12D-3*

This is an important legal document. This document directs the medical treatment you are to receive in the event you are unable to participate in your own medical decisions and you are in a terminal condition. This document may state what kind of treatment you want or do not want to receive.

This document can control whether you live or die. Prepare this document carefully. If you use this form, read it completely. You may want to seek professional help to make sure the form does what you intend and is completed without mistakes.

This document will remain valid and in effect until and unless you revoke it. Review this document periodically to make sure it continues to reflect your wishes. You may amend or revoke this document at any time by notifying your physician and other health-care providers. You should give copies of this document to your physician and your family. This form is entirely optional. If you choose to use this form, please note that the form provides signature lines for you, the two witnesses whom you have selected and a notary public.

## **TO MY FAMILY, PHYSICIANS, AND ALL THOSE CONCERNED WITH MY CARE:**

I, \_\_\_\_\_, willfully and voluntarily make this declaration as a directive to be followed if I am in a terminal condition and become unable to participate in decisions regarding my medical care.

With respect to any life-sustaining treatment, I direct the following:

(Initial only one of the following optional directives if you agree. If you do not agree with any of the following directives, space is provided below for you to write your own directives).

\_\_\_\_\_ **NO LIFE-SUSTAINING TREATMENT.** I direct that no life-sustaining treatment be provided. If life-sustaining treatment is begun, terminate it.

\_\_\_\_\_ **TREATMENT FOR RESTORATION.** Provide life- sustaining treatment only if and for so long as you believe treatment offers a reasonable possibility of restoring to me the ability to think and act for myself.

\_\_\_\_\_ **TREAT UNLESS PERMANENTLY UNCONSCIOUS.** If you believe that I am permanently unconscious and are satisfied that this condition is irreversible, then do not provide me with life-sustaining treatment, and if life-sustaining treatment is being provided to me, terminate it. If and so long as you believe that treatment has a reasonable possibility of restoring consciousness to me, then provide life-sustaining treatment.

\_\_\_\_\_ **MAXIMUM TREATMENT.** Preserve my life as long as possible, but do not provide treatment that is not in accordance with accepted medical standards as then in effect.

(Artificial nutrition and hydration is food and water provided by means of a nasogastric tube or tubes inserted into the stomach, intestines, or veins. If you do not wish to receive this form of treatment, you must initial the statement below which reads: "I intend to include this treatment,

among the 'life-sustaining treatment' that may be withheld or withdrawn.”)

With respect to artificial nutrition and hydration, I wish to make clear that

(Initial only one)

\_\_\_\_\_ I intend to include this treatment among the “life-sustaining treatment” that may be withheld or withdrawn.

\_\_\_\_\_ I do not intend to include this treatment among the “life-sustaining treatment” that may be withheld or withdrawn.

(If you do not agree with any of the printed directives and want to write your own, or if you want to write directives in addition to the printed provisions, or if you want to express some of your other thoughts, you can do so here.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Date: \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address  
\_\_\_\_\_

The declarant voluntarily signed this document in my presence.

\_\_\_\_\_  
Witness 1 Signature

\_\_\_\_\_  
Address  
\_\_\_\_\_

\_\_\_\_\_  
Witness 2 Signature

\_\_\_\_\_  
Address  
\_\_\_\_\_

On this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the declarant,  
\_\_\_\_\_, and witnesses \_\_\_\_\_,  
and \_\_\_\_\_ personally appeared before the undersigned officer  
and signed the foregoing instrument in my presence.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_.