Leveraging Video
Technology to Enhance
Patient Safety & Deliver
Concordant Care

**Thaddeus Mason Pope** C-TAC Webinar February 19, 2020 Broader

look at video ADs

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Different type of data

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Value of video in the courts

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How videos
help judges
resolve conflicts



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cases on ADs cases on wills

Why wills?

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More experience with video wills than video ADS

ESTATE PLANNING

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#### **Analogous to ADs**

We used to call ADs "living wills"

Want wishes followed when cannot speak for self – just about property instead of health care

types of cases

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# Validity Meaning

## Validity

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Someone claims patient lacked capacity to complete the AD



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Wants mother removed from life-sustaining treatment per her 1991 advance directive



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Says mother executed a new advance directive on Nov. 13, 2019 and wants to live

Later in time ADs revoke earlier ADs

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But is the newer AD valid?

Did Arline have capacity to complete it?

#### video helps

#### Will case

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Tries to **invalidate** will & trust

by challenging his mother's capacity



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September 3, 2015

AD names agent

"companion"

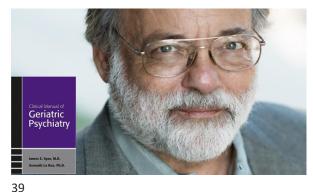


35 36

October 16, 2015 AD names new agent

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Validity requires not only capacity but also voluntariness

Someone claims patient coerced to sign AD

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### Will case

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Videos help prove AD validity

### Meaning

47 48

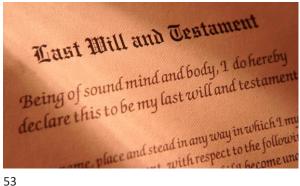
What did the patient want? Did she want it under these circumstances?

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Will case







Videos have helped courts resolve disputes over AD validity & meaning

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Bigger value is the court cases averted

## Value concordant care

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56

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57 58