

Leveraging Video
Technology to Enhance
Patient Safety & Deliver
Concordant Care

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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

5

30th anniversary Cruzan



SMU.

DEDMAN SCHOOL OF LAW

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cases on ADs
cases on wills

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Why wills?

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More experience
with video wills
than video ADS

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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

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2 types of cases

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Validity
Meaning

13

Validity

14

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

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Later in time
ADs **revoke**
earlier ADs

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But is the
newer AD
valid?

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Did Arline have
capacity to
complete it?

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video helps

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Will case

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Tries to **invalidate**
will & trust

by challenging his
mother's **capacity**

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AD case

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September 3, 2015
 AD names agent
 "companion"

35



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October 16, 2015
AD names
new agent

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Validity requires not
only capacity but
also **voluntariness**

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Someone claims
patient **coerced**
to sign AD

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Will case

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Videos
help prove
AD **validity**

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Meaning

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What did the patient want?

49

Did she want it under **these** circumstances?

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Will case

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Last Will and Testament
Being of sound mind and body, I do hereby
declare this to be my last will and testament
... place and stead in any way in which I my
... with respect to the followi
... become unc

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Videos have **helped**
courts resolve
disputes over AD
validity & meaning

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Bigger value is
the court cases
averted

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Value
concordant
care

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