

# Medicare Advance Planning (MAP) for Care ACT

**Advance directives** are legal documents that allow individuals to provide clear guidance to their medical providers and family members about health care wishes should they become incapable of speaking for themselves. Such directives protect patients' decisional autonomy and provide clarity to families and doctors. These documents are known to mitigate moral distress and confusion in seriously ill patients, their loved ones, and the medical professionals caring for them.

According to a 2006 study by the Pew Research Center, 70 percent of Americans have thought about their health care preferences should they be faced with a life-threatening illness or injury, but only one-third have completed an advance directive. Increasing uptake of advance directives in the U.S. will limit financial hardship, unwanted treatment, and unnecessary suffering — providing a much needed “win-win” scenario for patients and Medicare.

## Under the MAP for Care Act:

- Medicare enrollment applications will begin including a link to an internet website with resources to assist in completing an advance directive.
- Electronic advance directives would be created through and maintained by outside organizations accredited by CMS, and could be modified or cancelled at any time by the beneficiary.
- An advance directive would include any electronically stored statement that outlines the kind of treatment and care a beneficiary wants or does not want under certain conditions, and can include identification of a health care proxy.
- Medical providers and health care proxies would have real-time, digital access to beneficiaries' advance directives.
- Medicare beneficiaries would be able to voluntarily certify to CMS they have created an electronic advance directive at any time.
- CMS would not hold a database of these documents, but rather would only keep track of the organization that maintains an advance directive record for a beneficiary.
- Both CMS and outside groups maintaining advance directives would be held to the highest standards for privacy and security protection as well as system functionality.
- This legislation would not preempt any state law governing advance directives.

*This bill has not yet been scored by the Congressional Budget Office. To join as a cosponsor of the bill, please contact Ryan Orr in Sen. Cassidy's office ([Ryan\\_Orr@cassidy.senate.gov](mailto:Ryan_Orr@cassidy.senate.gov)) or Katie Pannell in Sen. Coons' office ([Katie\\_Pannell@coons.senate.gov](mailto:Katie_Pannell@coons.senate.gov))*

