



# Psychiatric Advance Directive

A **Psychiatric Advance Directive** is a plan that tells others about your medical and mental health choices. It is used during an emergency so doctors know what mental health treatments you want or do not want. It is used when your illness is so serious that you cannot make and communicate your medical choices. You can list a **surrogate decision-maker** on your Psychiatric Advance Directive. A surrogate decision-maker is a person you trust to make mental health decisions for you. If you do not list a surrogate decision-maker, the law names the person who would be best to make decisions for you. This law is called the **Healthcare Surrogacy Law**.

## Where can I use this support in my life?

The table below shows examples of how you can use a Psychiatric Advance Directive.

### **Money**

A Psychiatric Advance Directive cannot be used when making decisions about your money.

### **Healthcare**

With a Psychiatric Advance Directive you can:

- Name a person to make mental health treatment decisions for you
- List preferred medications and treatments
- Choose healthcare providers you want to see

### **School**

A Psychiatric Advance Directive cannot be used when making decisions about your schooling.

### **Personal life**

A Psychiatric Advance Directive cannot be used when making decisions about your personal life.

### **Housing**

A Psychiatric Advance Directive cannot be used when making decisions about your housing.

### **Post-secondary life**

A Psychiatric Advance Directive cannot be used when making decisions about your post-secondary life.

Additional information and a full list of references are available at  
<https://www.delawareautismnetwork.org/resources/supported-decision-making/>

Steinbrecher, A., Ferrara, N., Mallory, S., & Legal Support Choices Project Advisory Group (2025).  
*Psychiatric advance directive*. University of Delaware Center for Disabilities Studies.

# More information about Psychiatric Advance Directive

## Who is the decision-maker?

If you have a Psychiatric Advance Directive, someone else makes decisions for you in an emergency. You can say who you want to be your decision-maker.

## Does a Psychiatric Advance Directive require a court hearing?

No, a court hearing is generally not required when creating a Psychiatric Advance Directive. You can complete this on your own or with the support of a healthcare professional.

## Can a Psychiatric Advance Directive be changed? If yes, by who?

Yes, you can change your Psychiatric Advance Directive at any time, either verbally or in writing. To change your Psychiatric Advance Directive, you can create a new document with your updated medical and mental health choices. Next, sign and date the updated form and share it with your healthcare providers and supporters.

## Where can I go to learn more about Psychiatric Advance Directive?

You have choices when it comes to legal support when you turn 18. A Psychiatric Advance Directive is a choice that is available in Delaware. Other states may have different rules or may not offer the same legal support choices as Delaware.

Visit <https://nrc-pad.org/states/delaware/> to learn more about Psychiatric Advance Directives in Delaware.

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