

99046027000000, 99046027000000

Living will

Heruntergeladen am 08.07.2025

<https://fimportal.de/xzufi-services/199209411/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99046027000000, 99046027000000
Leistungsbezeichnung I	Living will
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Rheinland-Pfalz
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt
Leistungsgruppierung	Gerichtliche Leistungen (046)
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	Erbschaft, Nachlass und Testament (1190200), Urkunden und Bescheinigungen (1070200), Altersvorsorge (1180100)
Einheitlicher	

Modul	Sachverhalt
Ansprechpartner	Nein
Fachlich freigegeben am	05.12.2022
Fachlich freigegeben durch	Ministry of Justice Rhineland-Palatinate
Handlungsgrundlage	<p>The Third Act Amending the Care Act, which came into force on September 1, 2009, enshrined the living will in law. This has created more legal certainty for all parties involved. The law itself defines what a living will is and standardizes its binding effect.</p> <p>https://www.gesetze-im-internet.de/bgb/_1827.html https://www.gesetze-im-internet.de/bgb/_1827.html</p>
Teaser	In a living will, you can declare whether you want certain treatment in the event of illness or an accident, and in particular whether you want sufficient pain relief or the use of life-prolonging measures.
Volltext	<p>Most people today do not die at home, but in hospital or in the nursing ward of a retirement home. This idea triggers particular fears in many people. They fear that they will not be allowed to die in peace and with dignity, that their suffering and death may be unnecessarily prolonged. This is where a living will can help.</p> <p>Every medical measure requires the consent of the person concerned. If a person is still capable of making decisions themselves, it is up to them to give their consent. But what happens if a person is no longer able to express their will? Even then, it depends on the person's declaration, namely the declaration they made on healthy days for this case - namely the living will. The law defines this as a written declaration by an adult capable of giving consent in the event of their incapacity to consent, stating whether they consent to or prohibit certain examinations of their state of health, medical treatment or medical interventions that are not yet imminent at the time of the declaration. This declaration is binding if the will of the person making the declaration can be clearly and reliably determined for the specific treatment situation.</p>
Erforderliche Unterlagen	According to the express provisions of the law, the

Modul

Sachverhalt

living will must be in writing. Although verbal declarations are not without effect, they can only be taken into account when it comes to the question of what the presumed will of the patient incapable of giving consent is. So if you want to protect your right to self-determination as a future patient and draw up a genuine living will, a written declaration is absolutely essential. Notarization is not required.

Voraussetzungen

Kosten

There are generally no fees.

The Federal Chamber of Notaries charges fees for registration in the Central Register of Lasting Powers of Attorney.

Verfahrensablauf

If you have not granted a power of attorney to anyone, the guardianship court will appoint a guardian for you if necessary. Like authorized representatives, caregivers are obliged to check whether the provisions of the living will apply to the current life and treatment situation and, if this is the case, to give them expression and validity.

It therefore makes a lot of sense to combine a living will with a power of attorney for healthcare matters or at least with a care directive with a care proposal.

With a living will in particular, it is important that as many people as possible know that you have laid down your wishes so that the declaration can be found as quickly as possible. Here too, it is advisable to carry the information card on which you have noted that you have a living will with you.

Bearbeitungsdauer

Frist

There are no special deadlines to be observed.

weiterführende Informationen

Hinweise

If you have drawn up a living will, you should review it from time to time and make this clear. You are not legally obliged to do this. However, this will prevent

Modul	Sachverhalt
	<p>doubts arising - possibly years later - as to whether this is still your current wishes. This is particularly important if you become seriously ill after making a living will. You should then review your advance directive to see whether your illness might lead to a change in assessment. If possible, make your instructions more specific and make a note in any case that you have reconsidered your advance directive due to the new situation that has arisen.</p> <p>You can find further information in the brochure https://jm.rlp.de/fileadmin/mjv/Broschueren/Wer_hilft_mir_wenn_-_Mai_2018_2.pdf https://jm.rlp.de/fileadmin/mjv/Broschueren/Wer_hilft_mir_wenn_-_Mai_2018_2.pdf</p>
Rechtsbehelf	
Kurztext	
Ansprechpunkt	<p>Advice and support on living wills is available from local care authorities, care associations, lawyers and notaries. You can also contact the nearest local court with general questions about care.</p> <p>You can register a living will in the Central Advance Care Directive Register of the Federal Chamber of Notaries. The Central Register of Lasting Powers of Attorney enables you to find advance care directives, including living wills, quickly and reliably. https://www.vorsorgeregister.de https://www.vorsorgeregister.de</p>
Zuständige Stelle	
Formulare	<p>Apart from the written form, there are no special formal requirements. https://jm.rlp.de/fileadmin/mjv/Broschueren/Wer_hilft_mir_wenn_2018_2_-_Patientenverfuegung.pdf https://jm.rlp.de/fileadmin/mjv/Broschueren/Wer_hilft_mir_wenn_2018_2_-_Patientenverfuegung.pdf</p>
Ursprungsportal	Patientenverfügung, Living will