

## **A MODEL PROFESSIONAL WILL**

In the event I am unable to continue my psychoanalytic practice because of illness or death, please refer to the following recommendations and requests.

1. I designate the following psychoanalytic colleagues (*at least two, one of whom should be younger than you*) to inform my patients promptly by telephone, to cancel appointments, and so to protect my patients against the distress of arriving to find the office door mysteriously locked. I have discussed with these colleagues my wish to list them for these purposes. They have agreed to help and, additionally, to offer to my patients the prompt opportunity for consultation to decide how best to meet their continuing clinical needs.

These colleagues are fully aware, in instances in which the patient is a candidate at an institute, of the need for collaboration with the chair of the Education Committee in arranging for the continuity of analysis. To assist my colleagues with these tasks, the names, addresses, and phone numbers of all patients are listed in the fee account record book kept in my office, and my appointment book indicates those with whom I am currently working. (*List colleagues' names, addresses, and phone numbers here.*)

2. My answering machine message should be changed immediately, with wording such as, "Dr. A.'s appointment schedule has been canceled. Please telephone Dr. Colleague at (*telephone number*) for additional information." (*Experience suggests strongly that this task should be taken over by the colleague and not left as a burden for family members, who understandably are preoccupied with their own distress. They cannot be expected to empathize suitably with the dilemmas of patients.*)

3. On the office front door---just in case---place a note that reads, "Dr. A.'s schedule has been canceled. For further information telephone Dr. Colleague at (*telephone number*)."

4. Instruct the doorman, elevator operator, or front desk to say to inquirers, "The doctor's schedule has been canceled. Here is a telephone number to call for more information."

5. Keep all my financial records, appointment books, and related records for the duration of the statute of limitations in our state (*e.g., six years in New York*). If a patient requests substantiation of a claim for insurance benefits and needs a listing of appointments and fees paid, that patient should be asked to repeat the request by letter. The signed letter becomes that patient's authorization for the release of information that is otherwise kept confidential.

6. As in the case of financial records, keep my clinical records for the duration of the statute of limitations in our state. Some of these records, such as evaluative diagnostic or progress summaries, may be requested by successor

analysts or therapists. Only copies may be forwarded to the successor analyst, and only upon receipt of a signed letter of authorization from the patient. The original of the record should be retained.

7. Process notes are a different matter, as they were comprehensible and useful to me alone. They can be destroyed after a relatively brief interval. *(They should usually not be shared with anyone, including the successor analyst, unless specific instructions are left to do so. The Committee on Confidentiality of APsaA, after lengthy discussion of the Anne Sexton celebrity case, recommended a statement be published that no posthumous disclosures may be made without the patient's specific prior consent and/or instruction.)*

8. Keep any agreements and copyrights of written works, either in progress or already published. You can obtain advice about these from my colleagues.

9. If a patient seeks family contacts beyond extending condolences, my standby colleague will furnish guidance concerning such requests.

10. As to obituary notices, the usual notice inserted in the newspaper by family, the funeral director, or the institute or society is entirely at your discretion.

11. Please notify the following list of organizations that have been important to me. *(List.)*

12. Dues to professional organizations and unexpired journal subscriptions should be refunded in a prorated manner. The journals in my library will list their administrative addresses. You need only notify the organizations and the journals. *(List.)*

13. My professional library should be donated to *(name of institution)*. *(List designee and second, third, and fourth choices in case the designee does not require additional copies of volumes already owned. I plan to donate mine to my institute library with the proviso that unneeded volumes be sold to candidates and others, the proceeds to go for future acquisitions.)*

Hopefully this discussion and the model professional will are sufficiently persuasive to convince you of the correctness and simplicity of these measures for smoothing what otherwise can become a disastrous intrusion into proper clinical care.

The key resistance to attending to this matter is our reluctance to pause in contemplation of the prospect of our own deterioration and death. An ethical

concern for our patients' needs that survive us should shift the balance benevolently.