

Abstract

Introduction: The relationship of the doctor and his patient is based on informed consent about proposed treatment and care. Informed consent is derived from the principle of respect to patient's autonomy and the right patient for self-determination. Decision making at the end of life is complicated by the fact that in some situations the patient is not able to state his preferences and sign the legal document of informed consent.

Thesis: Proper implementation of advance directives using hermeneutics as a method of text interpretation represents application of an informed consent at the end of life in a patient who at that time is not able to sign the legal document.

Aim and methods: The aim is to describe and analyze the situation of patients at the end of life and point to some ethical dilemmas in the work of healthcare workers and family carers. Other aim was to search for a way how to manage the care of a seriously ill incompetent patient that would be in accord with his previous wishes and value preferences. Review of the relevant literature was used to analyse the philosophical nature of advance directives and their implementation in future concrete situation. The possibility of interpretation of advance directives by hermeneutic method was also addressed.

Results: A patient who writes advance directives expresses his free will to make decisions about his life and death in the way that is consistent with his values. It is essential that the physician respects the patient's autonomy even in the situation when the patient is currently not able to express his wishes. For adequate application of the advance directives is therefore beneficial for the patient to formulate the advance directives in the dialog with the physician. In ideal situation the patient, together with the doctor, arrives at the consensus which is the result of their human encounter. Besides listing care preferences at the end of life advance directives also express the patient's reasons and values that made him write the text. These give the meaning to advance directives and are in themselves the argument for us to consider the patient's wishes. The doctor who reads advance directives is often not the reader the text was originally meant for. The reasons and values cannot be understood just by simple reading. The doctor has to use the hermeneutic methodology if he wants to achieve the best possible understanding of the patient's wishes. The hermeneutics does not only analyse the meaning of the words but also searches for the person behind the text. If he follows the hermeneutic circle and tries to understand not only the meaning of the terms but also the contexts of the patients decision making the doctor might be able to find out what would the patient say had he been competent to do so.

Key words: end of life care, autonomy, informed consent, advance directives, hermeneutics