



EXECUTIVE SUMMARY ON ADVANCE DIRECTIVES IN

SWEDEN

Used terms

- Livstestamente
- Livsslutsdirektiv
- Vårddirektiv
- Vårddirektiv (förhandsdirektiv) om livsuppehållande behandling

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LEGAL FRAMEWORK

Sweden has no specific act on advance directives. Self-determination is promoted in a rather specific way in several acts such as the The Health and Medical Service Act (1982:763).

In 2005 the National Medical Ethics Council (*Statens medicinsk-etiska råd, SMER*) seted recomendations concerning advance directives.

Some associations promote the example of Denmark to legalize living wills.

- The Health and Medical Service Act (1982:763):
<http://www.sweden.gov.se/content/1/c6/02/31/25/a7ea8ee1.pdf>
- *Remissyttrande över Frågor om Förmyndare och ställföreträdare för vuxna (SOU 2004:112)* (Summary of the National Medical Ethics Council, considerations relating to this report Issues of guardian and deputy of adults):
<http://www.smer.se/Uploads/Files/22.pdf>



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GENERAL FEATURES

According to the recommendations of the National Medical Ethics Council::

- A person has the right to decide competently about all health care measures by giving directives for future situations when he or she is no longer competent.
- When a competent person has clearly expressed his or her position in a treatment issue that may arise in the future, when he or she is no longer competent, the decision should generally be respected.
- Advance directives should be legally binding for the health care professional on the same extent that it is already the decision about the treatment offered to the patient.
- A health care directive should not be automatically waived for the patient in the current health care situation as competent decision. The medical reasons to apply a health care directive on life-sustaining therapy, should be given.
- It is important to establish the criteria to determine when a patient is judged to be incompetent. The choice of identify incompetence could be the implication to apply criteria based on a sophisticated set of values, and opportunities to be taken into account by professionals.

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There is no official Registry in Sweden. There is no record about AD registered in the country.

The Swedish organization for the Right to Die in Dignity urged to follow the example of Denmark to create a national registry.



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There are private companies that register living wills. [Livsarkivet](#) includes this section since 2009.

An not-official form is available at: <http://www.rtv.d.nu/media/3134/livstesta1.pdf>

MORE INFORMATION ON SWEDEN

- Swedish National Council on Medical Ethics. Date: 2005-09-02. Opinion on advance directives (living wills): <http://www.smer.se/Bazment/172.aspx>
- [Patient Rights in the EU](#). This website, presented by the Catholic University of Leuven (Belgium) and included in the [EuroGentest](#) project, offers the serie "European Ethical-Legal Papers" that contents information about patient rights. The one corresponding to Sweden can be found at the following link: [National Patient Rights Legislation| DENMARK](#).
- [RTVD - Rätten Till en Värdig Död](#) (The Swedish organization for the Right to Die in Dignity). This association promote the individual's right to self-determination over their treatment at the end of life. Information about AD is available at: <http://www.rtv.d.nu/livstestamente.aspx>
- *Statens medicinsk-etiska råd. Datum: 2005-09-02. Dnr 4/05. Remissyttrande: Frågor om Förmyndare och ställföreträdare för vuxna (SOU 2004:112).* <http://www.smer.se/Bazment/188.aspx>
- *Statens medicinsk-etiska råd. Datum: 2008-11-13. Dnr 14/08. Avgöranden i livets slutskede.* <http://www.smer.se/Bazment/320.aspx>



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