



VA | Defining
HEALTH CARE | **EXCELLENCE**
in the 21st Century



Leestown Division

Cooper Division

Selecting a Healthcare Agent

What is a Healthcare Agent?

A healthcare agent, or proxy, is someone you know and trust to make healthcare decisions for you if you become unable to make these decisions yourself. A healthcare proxy is designated by an Advanced Directive. An Advanced Directive is an important legal document that reflects the relationships you have with those providing your care, family, and loved ones.

What can my Healthcare Agent do?

Your agent will make decisions about your healthcare only when you are unable to do that yourself. This means that your agent can act for you if you are temporarily unconscious, in a coma, or have another condition that prevents you from making your own healthcare decisions. Your agent cannot act for you until your doctor determines in writing that you lack the ability to make healthcare decisions.

Acting with your authority, your agent can make any healthcare decision that you would make if you were able. If your agent has full authority to act for you, he or she can consent to or refuse any medical treatment, including treatment that could keep you alive.

Your agent will make decisions for you only after talking with your healthcare provider and after fully considering all the options regarding the treatment of your illness or condition. Your agent has the right to any information, including confidential medical information, necessary to make informed decisions for you.

You may wish to talk with your provider, religious advisor, family members or others before giving instructions to your healthcare agent.



Here are some terms you will need to know:

Living Will: This is a written statement that conveys your desired healthcare treatment if you become mentally or physically incapable. It can include, but is not limited to, instructions concerning the termination of life support.

Power of Attorney (POA): This is a legal document naming the person who will act for you in a legal or business matter. A POA has nothing to do with making medical decisions.

Court Appointed Guardian: This is a person who takes care of your property and/or business interests when you are unable to do so. This guardian would have decision-making authority over a healthcare agent.

Your agent will make healthcare decisions for you according to your wishes. That is why it is very important that your agent has a clear understanding of your wishes, including your religious or moral beliefs, before signing a document designating him/her as your healthcare agent.

Q. What do I need to do as the healthcare agent?

A. You should spend time talking with your loved one about his/her healthcare choices such as whether or not to use life-support (breathing machines, feeding tubes, intravenous medications to support blood pressure, or trying to restart the heart) and use of antibiotics or dialysis for kidney failure. It will not be necessary for you to do anything until you are informed that your loved one is mentally unable to make healthcare decisions. Only at that time will you act as your loved one's healthcare agent.

Q. I work fulltime. How much time will it take for me to be the healthcare agent?

A. It will not take any more time than you would normally spend visiting your loved one or talking to the doctors and staff in the hospital. You may be called at any time, day or night, if the doctors need to speak with you about a change in your loved one's medical condition.

Q. Will this cost me any money?

A. No.

Q. Do my mother/father or sisters/brothers have to approve of me being the healthcare agent?

A. No.

Q. What happens if someone in my family does not want me to be the healthcare agent?

A. In all cases, we suggest you, your loved one, and your family members have an open discussion to explain why you were selected, to address any concerns, and to gain support.

Q. What if I do not feel comfortable serving as a loved one's healthcare agent?

A. You should not agree to serve and advise him/her to choose someone else.

Q. Can the doctors or hospital terminate me as the healthcare agent?

A. No. Only your loved one, who appointed you as the healthcare agent, can do that.

Q. What happens if I disagree with my loved one over what they want for their healthcare?

A. You cannot disagree with what they want as long as they are mentally alert and able to decide for themselves. Importantly, by agreeing to serve as his/her healthcare agent you have accepted the responsibility to make the healthcare choices your loved one would want and not what you would want for him/her.

Q. What happens if I do not wish to be the agent after some time has passed?

A. You should tell your loved one so they can select somebody else.

For more information, talk to your primary care provider or social worker.