

SELECTING YOUR HEALTH CARE AGENT

WHY APPOINT A HEALTH CARE AGENT?

Choosing an agent is among the single most important thing that you can do as part of planning for possible future incapacity and end-of-life care. By choosing an agent, you identify the person who **you** want to make decisions for you. If you do not choose an agent and you lose the ability to make your own health care decisions, the law decides who gets to make decisions for you. Failure to appoint an agent could lead to the need for a guardian, who is appointed by a court in a potentially costly legal process.

WHO CAN'T BE AN AGENT?

You cannot name your health care provider (doctor, nurse, social worker), or an owner, operator, or employee of a health care facility where you are receiving care, unless the agent is related to you by blood, marriage, or adoption.

WHAT TO DO AFTER YOU CHOOSE A HEALTH CARE AGENT

- Talk to your agent about the qualifications outlined on the next page of this tool.
- Ask permission to name him or her as your agent.
- Work through the rest of the Tool Kit together. Do the Health Care Agent IQ Test in Tool #7.
- Make sure your agent gets a copy of your Advance Health Care Directive, and make sure your agent knows how to get the original copy of your Directive.
- Tell family members, your physician, and close friends who you have chosen as your agent.

When you decide to pick someone to speak for you in a medical crisis, in case you are not able to speak for yourself, there are several things to think about. This tool will help you decide who the best person is. Usually it is best to name one person or agent to serve at a time, with at least one alternate, or back-up person, in case the first person is not available when needed.

Compare up to 3 people with this tool. The person best suited to be your Health Care Agent or Surrogate will meet most or all of these qualifications...

Name #1:		
Name #2:		
Name #3:		
		1. Meets the legal criteria in your state for acting as agent? (This is a must! See next page.)
		2. Would be willing to speak on your behalf.
		3. Would be able to act on your wishes and separate his/her own feelings from yours.
		4. Lives close by or could travel to be at your side if needed.
		5. Knows you well and understands what's important to you.
		6. Could handle the responsibility.
		7. Will talk with you now about sensitive issues and will listen to your wishes.
		8. Will likely be available long into the future.
		9. Would be able to handle conflicting opinions between family members, friends, and medical personnel.
		10. Can be a strong advocate in the face of an unresponsive doctor or institution.

This worksheet adapted by the American Bar Association's Commission on Law and Aging from R. Pearlman, et. al., *Your Life Your Choices – Planning for Future Medical Decisions: How to Prepare a Personalized Living Will*, Veterans Administration Medical Center, Seattle, Washington.