

RIVER PARK HOSPITAL

Health Care Surrogate

Patients admitted to our care can sometimes be appointed a health care surrogate. A health care surrogate is an adult who is appointed to make healthcare decisions for you when you become unable to make them for yourself.

- What is the difference between a Medical Power of Attorney and a Health Care Surrogate?

The main difference between a medical power of attorney and a healthcare surrogate is that you appoint a medical power of attorney representative to make healthcare decisions for you when you become unable to make them for yourself. You can specify what healthcare decisions your medical power of attorney can make. A healthcare surrogate, on the other hand, is someone who is appointed to make healthcare decisions for you when you become unable to make them for yourself. You have no say in who becomes your healthcare surrogate. You can avoid having a healthcare surrogate appointed if you have appointed a medical power of attorney representative and that representative is still willing and able to serve.

- What healthcare decisions are you talking about?

Any decision to give, withhold or withdraw informed consent to any type of health care, including but not limited to, medical and surgical treatments, life-prolonging interventions, psychiatric treatment, nursing care, hospitalization, treatment in a nursing home, home health care and organ donation.

- Who appoints my Healthcare Surrogate?

The physician who is attending to you or the advance practice nurse working with the physician who is attending you will select the person to serve as your healthcare surrogate.

- When will a Healthcare Surrogate be appointed for me?

Two things must occur before a healthcare surrogate will be appointed for you.

1. You must be unable to make healthcare decisions for yourself AND
2. Your attending physician or advance practice nurse must have determined that you did not appoint a medical power of attorney and that you do not have a court appointed guardian.

If you cannot make healthcare decisions for yourself and there is no representative or court appointed guardian that is authorized or capable and willing to serve, then a healthcare surrogate can be selected.

- Are there any rules or guidelines that my Healthcare Surrogate must follow when making healthcare decisions for me?

Yes. The law requires that your healthcare surrogate make healthcare decisions for you that are:

1. In accordance with your wishes, including your religious and moral beliefs; or
2. If your healthcare surrogate does not know your wishes and could not find out about them using reasonable efforts, then he or she should make decisions that are in accordance with your best interests; and
3. A reflection of your values, including your religious and moral beliefs, to the extent that your healthcare surrogate knows about these values or could find out about them with reasonable effort.

- How is my healthcare surrogate supposed to know what is in my best interest?

There is no easy way for your healthcare surrogate to know what is in your best interests. The law requires that a healthcare surrogate consider the following things in order to determine what would be in your best interests:

1. Your medical condition and prognosis;
2. The dignity and uniqueness of every person;
3. The possibility and extent of preserving your life;
4. The possibility of preserving, improving or restoring your functioning;
5. The possibility of relieving your suffering;
6. The balance of the benefits of the proposed treatment against the concerns and values that a reasonable person in your circumstances would want to consider.
7. Good faith effort made to communicate with you what you would like to have happen.