

# Responsibilities of a Health Care Agent

*If you are asked to be someone's Health Care Agent (HCA) and to exercise the Durable Power of Attorney for Health Care on their behalf, it is because you are a person the patient trusts to understand and express their wishes in the event that they are unable to understand or express those wishes for themselves.*

1. Your first responsibility is to have a serious conversation (or a series of conversations) with the patient in order to understand as clearly as possible what type of treatment the person would or would not want under various present or future medical conditions.
2. Since it is difficult to know in advance all of the medical circumstances which might arise in the future, imagine a wide variety of possibilities in your discussion with the person who is asking you to represent them. Be particularly aware of the person's current health condition and conditions which are common in their family of origin.
3. If the patient is attaching specific directives to their Advanced Directives, review those directives with the patient.
4. To the best of your ability, try to determine the person's general attitude and choices about medical care in life-threatening situations and the person's general attitude about specific medical treatments, procedures and medications under various conditions. You may wish to make notes about your conversations for future reference.
5. If the patient is a person of faith, you should try to understand their religious convictions about life, death, and life-after-death, as well as the restrictions which may be imposed on medical treatment by their religious convictions. (The "What I Believe About Life and Death" checklist may help you understand their religious convictions better.)
6. Update your information by future conversations as time goes on and the person's health or living condition changes.

*Your responsibility does not begin until a physician has determined that the patient is no longer able to understand and/or communicate his/her wishes.*

7. At that time you are ethically bound to make the decisions the patient would have made, assuming that the patient's decisions were legal, ethical, and in accord with their religious convictions. If you are not sure of what the patient would have wanted, you should make decisions based on what you believe a reasonable person would want in the person's condition, given what you know about the person and the choices they have indicated to you.
8. Good communication with the doctor(s) and other health care professionals is essential so that you know exactly what the patient's condition is, and what impact various treatments, procedures or medications might have. Use the questions on the back side to help you determine the purpose and effect of various procedures. Contact a social worker or patient representative if you need help in communicating with the doctor(s) or other health care professionals.
9. Good communication with family members is also important. Be prepared to explain what decisions you are making and why. Whenever possible, cite the patient's written directives or oral instructions to you. You may need to help family members understand that your legal and ethical responsibility is to represent the patient's wishes, not the family's.

*Remember that your legal and ethical responsibility is to make decisions that represent the patient's wishes to the best of your ability, even if those decisions are not ones you would desire for yourself or for the patient, even if they are a loved one.*

# How to Evaluate Medical Treatment

*If you are acting as a Health Care Representative, you will need to know what effect certain medical treatments, procedures or medications will have on the patient before you can determine if the patient would or would not wish to receive that treatment.*

*In considering the relative benefits and burdens of a specific treatment, procedure or medication, consider its impact on the patient's total well-being, not just the effect it may have on a specific organ or condition.*

*You should ask the doctor questions like these to determine the relative benefits and burdens of any medical treatment, procedure or medication being recommended by your doctor.*

What is the purpose of this treatment, procedure or medication?

How will this treatment affect my overall medical condition if it is successful?

How will this treatment affect my overall medical condition if it is not successful?

How will this treatment affect my life in general (my ability to think, act, move, and care for myself) if it is successful?

How will this treatment affect my life in general (my ability to think, act, move, and care for myself) if it is not successful?

On a scale of 1 (*low*) to 10 (*high*) what are the chances that this treatment will be successful for a person in my condition?

What are the risks involved in this treatment, procedure or medication?

What will happen if I do not choose this treatment?

What is my short-term medical prognosis if I do or don't choose this treatment?

What is my long-term medical prognosis if I do or don't choose this treatment?

Would you recommend this treatment to a member of your family in my condition?

What is an alternative to this treatment, procedure or medication?