



CANCERcare®

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fact sheet

THE ROLE OF A HEALTH CARE PROXY

One of the best ways to make sure your health care wishes are honored is to use a health care proxy. A health care proxy can communicate the patient's wishes about the treatment if they are too sick or unable to communicate their wishes directly.

WHAT IS A HEALTH CARE PROXY?

Advance care planning documents are called “advance directives.” The living will and health care proxy are the two most common types. A health care proxy is a legal document that lets you choose another adult whom you trust to make your medical decisions for you if you are unable to speak or communicate your wishes. The person you choose or “appoint” is called a health care agent. You may choose a spouse or partner, family member, close friend or a lawyer. You cannot choose your doctor or a member of the medical staff. You may also choose an alternate proxy if the health care agent you chose cannot make a decision for you. You can tell the person your medical wishes either by writing them down, by using the form provided by your state, if available, or speaking them out loud. Remember, if you want someone to be your health care agent, you must appoint them by filling out the health care proxy. If you do not, they do not have the legal right to make decisions for you, and the medical team might not listen to their decisions.

WHERE SHOULD THE HEALTH CARE PROXY BE KEPT?

In addition to keeping a copy of this document in your wallet or purse, a copy should be kept with your family, the health care agent, the doctor and on your refrigerator in case of an emergency situation.

WHEN CHOOSING A PERSON TO BE YOUR HEALTH CARE AGENT, YOU WANT TO MAKE SURE OF THE FOLLOWING:

- Your agent is age 18 or older.
- You feel comfortable speaking openly and honestly with this person about your wishes.
- You are able to have several discussions with your health care agent over time, in case your wishes, values or medical needs change.
- You believe the person you choose is comfortable taking on the role of health care agent, able to make difficult decisions and able to stand up for your rights and wishes.
- You know the person you choose will be able to carry out your wishes regardless of their values, religious beliefs, love for you and other family members' beliefs.
- You choose someone who lives locally or can be reached easily in case of an emergency.

ONCE MY HEALTH CARE AGENT IS GIVEN AUTHORITY, WHAT KINDS OF DECISIONS CAN THE AGENT MAKE?

Your health care agent will be able to:

- Obtain your medical records and information
- Ask for a second opinion
- Request a consultation with a specialist

(over)

WHILE CHOOSING A HEALTH CARE PROXY, KEEP THE FOLLOWING IN MIND:

- It is important to ask your health care agent if they are willing to take on this responsibility. Just because you are related does not mean they are able or comfortable fulfilling this important role.
- Once you have chosen your health care agent, tell your family who you selected and why you chose them. This communication will help avoid conflict during a crisis.
- It is important for you to let your doctor and health care team know that you have signed a health care proxy and chosen a health care agent.
- Two witnesses must watch you sign your health care proxy and say that you appeared to sign it willingly. The witnesses may be members of your family or medical professionals. The witnesses must also sign and date the document.
- You must sign and date your health care proxy with the witnesses present. If you cannot sign your proxy but are still able to communicate, another adult can sign the document for you if you ask them to.
- A health care proxy remains legal until you decide to cancel them or specify a date when the documents will no longer be legal.

CancerCare® Can Help

Founded in 1944, CancerCare is the leading national organization providing free support services and information to help people manage the emotional, practical and financial challenges of cancer. Our comprehensive services include counseling and support groups over the phone, online and in-person, educational workshops, publications and financial and co-payment assistance. All CancerCare services are provided by master's-prepared oncology social workers and world-leading cancer experts.

To learn more, visit www.cancercares.org or call **800-813-HOPE (4673)**.

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WHAT IF YOU WANT TO CHANGE YOUR HEALTH CARE PROXY:

Sometimes your feelings change about your health care wishes, or your relationship with your health care agent changes and you would like to choose another person with whom you are more comfortable. If you decide you want to change your health care agent, follow these four steps:

1. Notify (either orally or in writing) your health care agent, medical team and family members of this change.
2. Tear up and throw away any copies of the prior health care proxy.
3. Write a new health care proxy with the name of the new health care agent. You will need to sign and date the new health care proxy and have two witnesses sign and date the document.
4. If your spouse was your health care agent and you divorce, your health care proxy is immediately cancelled.

*Edited by Alyson Erady, MSW, LMSW
This fact sheet is supported by Bristol Myers Squibb.*



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