

Health Care Agent

What is a health care agent?

A health care agent is a person you choose to make health care decisions and choices for you if you are not able to make them yourself. You may choose an agent by completing a document called a health care proxy.

Who should you choose to represent you?

A health care agent must be over the age of 18 and someone you trust to make the kind of decisions you would make for yourself if you were able to do so.

Why name an agent?

If you need health care but are unable to make decisions for yourself, it's important to have someone you trust and who understands your wishes, including your religious and moral beliefs, there to speak on your behalf. This is important for all adults age 18 and older. Without a health care agent, your family may not agree on a health care decision or a decision may be made by someone who may not know your wishes.

What can a health care agent do?

A health care agent's only role is to make health care decisions for you that you would make if you were able.

How do you designate an agent?

Rules about health care agents vary by state. Some require a written note signed by you and two witnesses over age 18. Other states have official forms. In some states an agent cannot be your doctor if they are actively providing care. In some areas an employee may not be appointed an agent for a patient that is in the hospital at the time of the appointment unless the employee is a relative. It is important to let family members and your health care providers know that you have an agent. You might keep a note with the agent's name and phone number folded around your insurance card in your wallet for easy access.

Have Questions? Ask your doctor or health care provider at your next appointment.

Created July 2020. Reviewed by Lisa Alexander

Medically reviewed by Sharon Brangman MD, FACP, AGSF

This program was funded through a Patient-Centered Outcomes Research Institute® (PCORI®) Eugene Washington PCORI Engagement Award (14197-RFSUNY).

End-of-life decisions. 2016. Alzheimer's Association. Retrieved from https://www.alz.org/national/documents/brochure_endoflifedecisions.pdf

Advance care planning: Healthcare directives. 2018. National Institute on Aging. Retrieved from <https://www.nia.nih.gov/health/advance-care-planning-healthcare-directives#proxy>

Advance care planning. 2018. New York State Department of Health. Retrieved from

https://www.health.ny.gov/diseases/conditions/dementia/adv_care_planning.htm