

Things to Know About a Health Care Proxy

1. What is a Health Care Proxy?

- It is a legal document in which you appoint a person you trust, called a Health Care Agent, to make health care decisions for you if you are not able to make effective decisions for yourself
- It protects your right to get the kind of care you want
- Your Health Care Agent (Agent) makes sure your doctor knows and follows your choices for care

2. Who can sign a Health Care Proxy?

Every competent adult has the choice to sign a Health Care Proxy. An adult must be:

- 18 years old and older; able to understand his or her medical condition and the risks and benefits of possible treatments, and that he or she is giving another person the authority to make health care decisions if the adult is incapacitated; and under no constraint or undue influence

3. How does a Health Care Proxy work?

- You have the right to make your own health care decisions
- If you have a sudden accident or a medical condition, and your attending physician determines in writing that you lack the ability to make or communicate health care decisions, your Agent steps in to make health care decisions on your behalf
- If you regain your ability to make your own care decisions, your Agent no longer has authority

4. Who can be my Health Care Agent and Alternate Health Care Agent?

- Any adult you trust - a spouse, family member, a friend – or someone who knows what’s important to you and can represent your choices and preferences and make complex decisions
- Who cannot be an Agent? A person employed in a facility where you are a patient or resident or have applied for admission, unless they are related by blood, marriage or adoption

5. What decision making authority can I give my Health Care Agent?

- You can give your Agent full authority to make any health care decisions that come up, or
- Choose to limit your Agent’s powers; if so, you can specify the limits in your Health Care Proxy
- You can give your Agent specific instructions and information in your Personal Directive

6. Can I change my mind or cancel or revoke a Health Care Proxy?

- You can change your Agent or your Agent’s authority as long as you are competent
- A Health Care Proxy is revoked if you sign a new one; if you divorce or legally separate and your spouse is your Agent; or tell your Agent or provider you revoked or intent to revoke your Proxy

7. How do I complete a valid Massachusetts Health Care Proxy?

It’s simple. You can do it yourself without the help of an attorney:

- Choose your Health Care Agent and Alternate Health Care Agent;
- Choose two adults to act as witnesses. They must be present at the signing of the Health Care Proxy to sign their names after yours. Witnesses cannot be your Health Care or Alternate Agent.
- Print the [Massachusetts Health Care Proxy Form and Instructions](#), or use another valid document