



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 he or she is too sick or unable to communicate his or her wishes directly.

WHAT IS A HEALTH CARE PROXY?

Advance care planning documents are called “advance directives.” A health care proxy is the preferred form of advance directive because it allows the most flexibility. It 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 can tell the person your medical wishes either by writing them down or speaking them out loud. Remember, if you want someone to be your health care agent, you must appoint him or her by filling out the health care proxy. If you do not, he or she does not have the legal right to make decisions for you, and the medical team might not listen to his or her 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, keep the following concerns in mind:

- Your agent must be age 18 or older
- You should feel comfortable speaking openly and honestly with the person about your wishes
- You may need to have several discussions with your health care agent over time, in case your wishes, values or medical needs change
- The person you choose should be comfortable taking on the role of health care agent, able to make difficult decisions and willing to stand up for your rights and wishes
- The person you choose should be willing to carry out your wishes regardless of his or her values, religious beliefs, his/her love for you and other family members' beliefs
- The person you choose should live locally or be easily reachable 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

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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 to or comfortable with fulfilling this important role.
- Once you have chosen your health care agent, tell your family whom you selected and why you chose him or her. 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.
- Health care proxy remain legal until you decide to cancel them or specify a date when the documents will no longer be legal.
- A health care proxy document remains legally binding indefinitely, or:
 - Until a specified date, chosen by you and included in the proxy
 - Until you decide to cancel it
 - Until you sign a new health care proxy
 - If your spouse was your health care agent and you divorce, your health care proxy is immediately cancelled

WHAT DO I DO IF I WANT TO CHOOSE A DIFFERENT HEALTH CARE AGENT?

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 who you are more comfortable with. If you decide you want to change your health care agent, follow these three steps:

- Notify (either orally or in writing) your health care agent, medical team and family members of this change.
- Tear up and throw away any copies of the prior health care proxy
- 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.

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 professional oncology social workers and world-leading cancer experts.

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

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