

Who will make health care decisions for you if you are unable to make them for yourself?

Under Pennsylvania law (the Health Care Agents and Representatives Act), you, as an adult of sound mind, may authorize a Health Care Agent to make treatment decisions on your behalf if you are ever unable to understand, make, or communicate decisions on your own. The authority that you give a Health Care Agent, and any particular instructions for that person, may be specified through a written Health Care Power of Attorney (which can be part of a general Health Care Advance Directive).

If you do *not* name a Health Care Agent, or if your designated Health Care Agent is not reasonably available, and if you are unable to understand, make, or communicate a treatment decision that requires your consent, Pennsylvania law stipulates who your health care providers must ask to make decisions on your behalf. The following indicates the order of persons who will be asked to act in the role of decision-maker, according to their Health Care Representative *class* ranking (in descending order):

Spouse	_____	} First ranking class of Health Care Representatives
& adult children <i>not</i> of your spouse	_____	
All other adult children	_____	} Second ranking class

Parents	_____	} Third ranking class

Adult brothers and sisters	_____	} Fourth ranking class

Adult grandchildren	_____	} Fifth ranking class

Other adults who know your preferences	_____	} Sixth ranking class
and values, including, but not limited to,	_____	
religious and moral beliefs	_____	

RULES:

- 1) You have the right to change the above order of classes of Health Care Representative, or either designate or disqualify particular individuals, by giving specific instructions in a Health Care Advance Directive.
- 2) Within the highest ranking class of persons who are reasonably available, each member of the class will be asked if he or she wishes to act as a Health Care Representative. All persons in that class who wish to act as Health Care Representatives *share equal authority* in decision-making.
- 3) If more than one person in the ranking class act as Health Care Representatives, decisions can be made by a simple *majority* of those persons. If members are *equally divided* on a decision, then your health care providers must wait until a majority agrees (and you will be treated in the meantime according to accepted standards of medical care).
- 4) If at any time someone with a higher rank (according to the Health Care Representative classes) wishes to assume decision-making authority, he or she may do so, even if others have already been acting as your Health Care Representative.
- 5) A Health Care Representative cannot make any decision that would withhold or withdraw life-sustaining treatment from you unless you are in an end-stage medical condition or permanently unconscious.
- 6) If a divorce is pending, a spouse is automatically disqualified from acting as your Health Care Representative (or Health Care Agent), unless you clearly authorize this in spite of the divorce proceeding.
- 7) Your health care providers cannot act as Health Care Representatives (or Health Care Agents), unless they are related to you.