



Guide

What does a health care agent do?

A PRACTICAL GUIDE FOR PEOPLE NAMED IN A HEALTH CARE DIRECTIVE

A health care agent makes health care decisions for someone who can't make or communicate those decisions on their own. In Minnesota, the agent is named in a health care directive, and the person who signs it is called the principal. Your role usually begins when the principal's health care provider determines they can't make their own decisions.

EXAMPLES OF WHAT A HEALTH CARE AGENT MAY DO

TREATMENT DECISIONS

Talk with doctors and nurses, ask questions, and agree to or refuse treatments, tests, and procedures.

CARE SETTINGS

Help choose health care providers and where the principal receives care, such as a hospital, assisted living, a nursing home, or home care.

MEDICAL RECORDS

Get and review the principal's medical information so you can make informed decisions.

END-OF-LIFE CARE

Make decisions about life-sustaining treatment, comfort care, and hospice, following the principal's wishes.

AFTER DEATH

If the directive allows it, make decisions about organ donation, autopsy, and funeral arrangements.

COMMUNICATION

Keep family members and the care team informed.

HOW TO MAKE DECISIONS

Follow the instructions in the directive and what you know about the principal's wishes and values. If you don't know what they would want, decide based on their best interests.

BEFORE IT'S NEEDED

Talk with the principal about their values and wishes now, while they can share them. Keep a copy of the directive, and make sure their doctors have one too.

Everbright LEGACY LAW

REMEMBER

- A health care agent doesn't manage money or property. That's the job of an attorney-in-fact or trustee.
- Your decisions should reflect what the principal would want, even if you'd choose differently for yourself.
- The principal can change or revoke the directive while they're able to make their own decisions.
- If you have questions about your authority, ask the attorney. For medical questions, ask the care team.

Minnesota law: Minnesota's health care directive law is found in Minn. Stat. Chapter 145C.

This is a general educational guide, not legal advice. Review the health care directive before taking action, because its terms may change your responsibilities.

Questions? Call Everbright Legacy Law at (952) 925-4147.