



## The Durable Power of Attorney for Healthcare: Choosing an Effective Agent

*Who would you want making your  
healthcare decisions if you were unable?*

The Durable Power of Attorney (DPA) for healthcare is a legal document that allows you to name a person as your healthcare agent—someone who is authorized to consent to, stop, or refuse medical treatment for you if you cannot make these decisions yourself.

The person you choose as your healthcare agent should be a trusted family member or friend with whom you have discussed your values and your medical treatment choices. Desirable qualities for a healthcare agent include:

☑ ***Assertiveness***

The ability to stand up to intimidation and pressure, and to speak up for you without feeling insecure about hurting other people's feelings.

☑ ***Intelligence***

Capable of understanding basic issues involved in illness, treatments, and options for medical care. Also, he or she must clearly understand your wishes.

☑ ***Commitment and Loyalty***

Being a healthcare agent can be a tough business—it's no way to win a popularity contest. Often, an agent may have to stand apart from your physician, the hospital administration, and even the family to be sure your wishes will be honored.

☑ ***Integrity and Trust***

The agent designated in your DPA may be the "court of last resort" in making sure that your wishes are honored. You need to know that this person has the ability and character to clearly express your desires, back them up, and stand behind them.

☑ ***Tolerance and Flexibility***

It is improbable that a DPA can cover every foreseeable possibility—medical situations arise where grays invade the black-and-white. Medications and treatments may advance between the time the DPA has been completed and when it needs to be implemented. So, when the letter of the document fails, your agent needs to be sensitive to the spirit of the document when he or she is called on to make decisions for you. Your agent should have the ability to carefully consider and analyze new information and make adjustments if circumstances justify it. Because flexibility may be required, it is even more important that your agent has the first four qualities listed above.

If a healthcare agent has not been appointed, Washington state law enables the following people (in order of exclusive priority) to make healthcare decisions for you when you have lost the ability to communicate or make such decisions yourself: a previously court-appointed guardian; your spouse; your adult children; your parents, your adult brothers and sisters. When there is more than one person with decision-making priority (such as children, parents, or siblings), unanimity is required.