

## *After you complete your Advance Directives:*

- » Talk with your healthcare providers and surrogate decision-maker about the information you have included in your Advance Directives documents.
- » Give copies of your Advance Directives documents to your doctor or other healthcare providers and your surrogate decision-maker.
- » Give copies to others close to you who can support the people making decisions on your behalf.
- » Bring a copy of your Advance Directives documents with you if you are going to be admitted to the hospital.
- » Keep your original Advance Directives documents in a safe place.
- » Review your Advance Directives documents periodically to be sure they reflect your current healthcare and treatment preferences.



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*Contact the CHI Health Ethics Center  
at [EthicsCenter@alegent.org](mailto:EthicsCenter@alegent.org)  
or 402-343-4476 if you have additional  
questions about Advance Directives.*



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***Advance Directives***  
*Selecting a Surrogate Decision-Maker*



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## Selecting your Surrogate Decision-Maker

A common type of information found in your Advance Directives documents is the name of the person (or persons) you select as your surrogate decision-maker. This person is sometimes called your “proxy decision-maker”, your “substitute decision-maker”, your “attorney-in-fact”, or your “Durable Power of Attorney for Healthcare,” or your “DPOA”.

The statement in which you name someone to serve as your surrogate decision-maker is called a Durable Power of Attorney for Healthcare designation. By completing this statement, you are giving a person of your choosing the right to make healthcare decisions on your behalf in the event you are unable to make decisions for yourself.

## Surrogate Decision-Maker Responsibilities

The surrogate decision-maker has a responsibility to:

- » Talk with your doctor and other members of your healthcare team to learn about healthcare and treatment options.
- » Make decisions with which you would agree unless such decisions put the safety of you or others at risk.
- » Make decisions that reflect your values and preferences as much as possible (this is called using the “substituted judgment standard” for decision-making).

## Who can I name to be my surrogate decision-maker?

You can name anyone you would like to be your surrogate decision-maker as long as that person does not meet the exclusion criteria set forth by state law. Your surrogate decision-maker does not have to be a lawyer.

The exclusion criteria below defines who cannot serve as a surrogate decision maker (refer to the information for the state in which you live):

### *For Nebraska residents completing Advance Directives, your surrogate CANNOT be:*

- » A non-relative owner or operator of a community care facility where you are a patient or resident.
- » A non-relative who, at the time you complete your Advance Directives documents, is currently serving as a surrogate decision-maker (your “Attorney-in-Fact”) for ten or more people.

### *For both Iowa and Nebraska residents completing Advance Directives, your surrogate decision-maker CANNOT be:*

- » Your treating healthcare provider.
- » A non-relative employee of your treating healthcare provider or the facility where you receive care.

## Will I still make my own decisions as long as I am able?

Unless you state differently in your advance directives documents, you will continue to make decisions on your own as long as you have the capacity to do so. Your doctors will only look to your surrogate decision-maker for assistance with care and treatment decisions when they are unable to talk with you directly.

## What if I do not designate a Surrogate Decision-maker in my Advance Directives document?

If you do not name a surrogate decision-maker in your Advance Directives document, your doctors and other healthcare providers will look to the following to make decisions regarding your healthcare:

- » Your spouse
- » Your adult children (collectively)
- » Your parents
- » Your siblings
- » Your next closest relative

If you would like someone other than the person highest on this list to make decisions on your behalf, you can name that person as your surrogate decision-maker in your Advance Directives document.



## Things to consider when choosing a Surrogate Decision-maker:

- » Do you trust this person to make decisions on your behalf?
- » Will this person voice your values, beliefs and preferences when making healthcare and treatment decisions?
- » Will this person be a strong advocate for your values, beliefs and preferences?
- » Will this person be available to talk with your healthcare team?
- » Does this person understand what is important to you?
- » Will this person talk about difficult issues with you now and listen to your preferences?
- » Will this person be able to handle conflicting opinions between your loved ones and healthcare team, if there are any?