



## Indiana Health Care Representative Appointment

Information about the Health Care Representative Appointment Form  
November 2016

The following is information about the Health Care Representative Appointment form:

1. There are numerous types of advance directives. The Indiana State Department of Health encourages individuals to consult with their attorney, health planner, and health care providers in completing any advance directive. The ISDH has an Advance Directive Resource Center at <https://www.in.gov/isdh/25880.htm> that provides a brochure, forms, and information about advance directives.
2. An individual is not required to complete a health care representative appointment form. An individual may always choose to not appoint a health care representative. If there is no appointed representative, state medical consent laws would determine who may consent to your healthcare.
3. The State Health Care Representative Appointment Form is not required for an appointment of a health care representative. An individual may use a form designed by their attorney or other entity to specifically meet the individual's needs.
4. The appointment form does not require a medical record number or the name of a health care facility or provider. This information can be included in order to assist a healthcare provider with identifying the correct patient or filing the appointment in the correct medical record.
5. To be valid, a form must comply with statutory requirements of Indiana Code (IC) 16-36-1-7:
  - (a) Be in writing;
  - (b) Be signed by the patient / appointor or by a designee in the patient's / appointor's presence;
  - (c) Be witnessed by an adult other than the health care representative.
6. The patient / appointor may specify in the appointment appropriate term and conditions, including an authorization to the representative to delegate the authority to consent to another.
7. The authority granted becomes effective according to the terms of the appointment.
8. The appointment does not commence until the patient / appointor becomes incapable of consenting to healthcare. The authority granted in the appointment is not effective if the patient / appointor regains the capacity to consent to healthcare.
9. Unless the appointment provides otherwise, a representative appointed under this section who is reasonably available and willing to act has priority to act in all matters of health care for the patient / appointor, except when the patient / appointor is capable of consenting.
10. In making all decisions regarding the patient's / appointor's health care, the health care representative shall act:
  - a. In the best interest of the appointor consistent with the purpose expressed in the appointment.
  - b. In good faith.
11. A health care representative who resigns or is unwilling to comply with the written appointment may not exercise further power under the appointment and shall so inform the following:
  - a. The patient / appointor.
  - b. The patient's / appointor's legal representative if one is known.
  - c. The health care provider if the representative knows there is one.
12. An individual who is capable of consenting to health care may revoke:
  - a. The appointment at any time by notifying the representative orally or in writing; or
  - b. The authority granted to the representative by notifying the health care provider orally or in writing.