



How to Choose a Health Care Agent

It is important to choose a person who can advocate for you if you cannot speak for yourself during a medical emergency. This person is called a health care agent. Below are commonly asked questions and information to help you think about who you should select to be your health care agent.

What is a Health Care Agent (also called a Health Care Proxy)?

In Maryland, a health care agent is a person you choose in advance to make medical treatment decisions for you if you are unable to speak for yourself. A health care agent must be at least 18 years old and cannot be your doctor.

Who should I choose to be my Health Care Agent?

Choose someone you trust that could work with health care providers to make sure your wishes are respected and that decisions are being made in your best interest. This may be a family member, a friend, a trusted neighbor, a member of your house of worship, or a colleague. Be sure to have a conversation with your potential health care agent to confirm that they are comfortable in the role. You can also share “What Does it Mean to Be a Health Care Agent?” found on the Voice Your Choice website for additional information.

What should I think about when choosing a Health Care Agent?

Think about someone who will honor your wishes and be your advocate. Consider if your health care agent will support your wishes even if they disagree with your choices. They will also need to feel comfortable speaking up and asking questions of health care professionals. Whomever you choose, be sure to let your doctor and the people who matter the most to you know who you selected. It is also recommended that you choose a back-up health care agent in case your primary agent is unavailable or does not want to participate. Remember that if you ever change your mind you can choose a different person later. Just be sure that your health care provider, your previous agent, and your loved ones know about the change and that it is documented.

What happens if I do not choose a Health Care Agent?

If you do not select a health care agent and you become unable to speak for yourself, the health care provider will consult with the following people in this order: 1) a legally appointed guardian, 2) a spouse, 3) adult children, 4) parents, 5) adult siblings, or 6) a distant relative or friend. It is important to remember that the person who is consulted may not be comfortable making difficult decisions or are incapable of being an advocate in emotionally challenging situations.

Need more information? See [“Who Will Speak for You”](#) by the Conversation Project. Ready to choose and document your health care agent? Go to www.VoiceYourChoice.org to complete your online advance care plan.