

## Decision-Making: Glossary of Terms

### Personal and Independent Decision-Making for Health Care

- **Advance Directive:** document where you can state your wishes for health care and appoint someone to make decisions for you if you become unable to do so.
  - **Agent or Proxy or Attorney-in-Fact:** the person chosen to make decisions for another person through a Power of Attorney.
  - **Health Care Power of Attorney (POA):** a document giving one person the right to make medical decisions for another person.
  - **Durable Power of Attorney:** Power of Attorney remains valid even if the person becomes incapacitated.
  - **Limited Power of Attorney:** gives another person the power to perform specific actions or handle a specific medical incident.
  - **Medical Directive:** a document where you give specific instructions about health care that you want and don't want.
  - **Living Will:** a medical directive for end-of-life decisions.

### Surrogate/Alternate Decision-Making (one person making decisions for another)

- **Authorized Representative:** only valid in programs which are licensed, operated or funded by the Department of Behavioral Health and Developmental Services; a person chosen by the program director to give informed consent for treatment for an individual who lacks capacity to make these decisions.
- **Conservator:** a person appointed by the court who is responsible for managing the estate and financial affairs of a person the court deems incapacitated.
- **Guardian:** a person appointed by the court who is responsible for the personal decisions of a person the court deems incapacitated, including decisions about personal care, health care, education, and residence.
  - **Guardian ad litem (GAL):** an attorney appointed by the judge to gather information and make a recommendation to the court about whether the person needs a guardian and if the person asking to be the guardian is a good choice. The GAL is there for the court, and is **not** the person's attorney.
  - **Incapacitated person:** an adult who cannot take in information and make an informed decision about his health, care, safety or health care needs without the help and protection of a guardian.
  - **Ward:** title given to an incapacitated individual who has a guardian.
  - **Types**
    - **Full Guardianship:** guardian makes all decisions for the ward with no limitations other than those listed in the law.
    - **Limited Guardian:** guardian makes decisions for certain matters (such as health care) but not others. This leaves the person free to make all other decisions.
    - **Public Guardian:** guardian for individuals who are incapacitated, indigent, and have no one to serve as their guardian.
    - **Standby Guardian:** someone appointed by the court who will become the guardian when the current guardian dies or can no longer act as guardian.
    - **Temporary Guardian:** guardian appointed by the court for a short period of time, usually to handle a current emergency situation.