

**Effective 5/6/2026**

**26B-2-801 Definitions for part.**

As used in this part:

- (1) "Adult" means an individual who is:
  - (a) at least 18 years old; or
  - (b) under 18 years old and is emancipated.
- (2) "APRN" means an individual who is:
  - (a) certified or licensed as an advanced practice registered nurse under Subsection 58-31b-301(2);
  - (b) an independent practitioner; and
  - (c) acting within the scope of practice for that individual, as provided by law, rule, and specialized certification and training in that individual's area of practice.
- (3) "Capacity" means the same as that term is defined in Section 75A-9-101.
- (4) "Emergency medical services provider" means a person that is licensed, designated, or certified under Title 53, Chapter 2d, Emergency Medical Services Act.
- (5) "Health care" means the same as that term is defined in Section 75A-9-101.
- (6) "Health care provider" means the same as that term is defined in Section 78B-3-403, except that "health care provider" does not include an emergency medical services provider.
- (7)
  - (a) "Life sustaining care" means any medical intervention, including procedures, administration of medication, or use of a medical device, that maintains life by sustaining, restoring, or supplanting a vital function.
  - (b) "Life sustaining care" does not include care provided for the purpose of keeping an individual comfortable.
- (8) "Minor" means an individual who:
  - (a) is under 18 years old; and
  - (b) is not emancipated.
- (9) "Order for life sustaining treatment" means an order related to life sustaining treatment, on a form designated by the Department of Health and Human Services under Section 26B-2-802, that gives direction to health care providers, health care facilities, and emergency medical services providers regarding the specific health care decisions of the individual to whom the order relates.
- (10) "Parent" means the same as that term is defined in Section 75-1-201.
- (11) "Physician" means a physician and surgeon or osteopathic surgeon licensed under Title 58, Chapter 67, Utah Medical Practice Act or Chapter 68, Utah Osteopathic Medical Practice Act.
- (12) "Physician assistant" means an individual licensed as a physician assistant under Title 58, Chapter 70a, Utah Physician Assistant Act.
- (13) "Sign" means the same as that term is defined in Section 75-1-201.
- (14) "Substituted judgment" means the standard to be applied by a surrogate when making a health care decision for an adult who previously had the capacity to make health care decisions, which requires the surrogate to consider:
  - (a) specific preferences expressed by the adult:
    - (i) when the adult had the capacity to make health care decisions; and
    - (ii) at the time the decision is being made;
  - (b) the surrogate's understanding of the adult's health care preferences;
  - (c) the surrogate's understanding of what the adult would have wanted under the circumstances; and

- (d) to the extent that the preferences described in Subsections (14)(a) through (c) are unknown, the best interest of the adult.
- (15) "Surrogate" means the same as that term is defined in Section 75A-9-101.

Amended by Chapter 96, 2026 General Session