

75-2a-110 Surrogate decision making -- Scope of authority.

- (1) A surrogate acting under the authority of either Section 75-2a-107 or 75-2a-108 shall make health care decisions in accordance with:
 - (a) the adult's current preferences, to the extent possible;
 - (b) the adult's written or oral health care directions, if any; or
 - (c) the substituted judgment standard.
- (2) A surrogate acting under authority of Sections 75-2a-107 and 75-2a-108:
 - (a) may not admit the adult to a licensed health care facility for long-term custodial placement other than for assessment, rehabilitative, or respite care over the objection of the adult; and
 - (b) may make health care decisions, including decisions to terminate life sustaining treatment for the adult patient in accordance with Subsection (1).
- (3) A surrogate acting under authority of this section is not subject to civil or criminal liability or claims of unprofessional conduct for surrogate health care decisions made:
 - (a) in accordance with this section; and
 - (b) in good faith.

Amended by Chapter 107, 2008 General Session