

Effective 9/1/2024

Repealed 1/1/2026

75A-3-206 Priority of decision makers.

- (1) The following is the order of priority of those authorized to make health care decisions on behalf of an adult who has been found to lack health care decision making capacity under Section 75A-3-201:
 - (a) a health care agent appointed by an adult under the provisions of Section 75A-3-301 unless the agent has been disqualified by:
 - (i) the adult; or
 - (ii) a court of law;
 - (b) a court-appointed guardian; or
 - (c) the highest priority default surrogate acting under authority of Section 75A-3-203.
- (2) A health care provider or health care facility obtaining consent for health care from a surrogate shall make a reasonable effort to identify and obtain consent from the surrogate with the highest priority.