

Effective 1/1/2026

75A-9-106 Health care instructions.

- (1) An individual may create a health care instruction that expresses the individual's preferences for future health care, including preferences regarding:
 - (a) health care professionals or health care institutions;
 - (b) how a health care decision will be made and communicated;
 - (c) persons that should or should not be consulted regarding a health care decision;
 - (d) a person to serve as guardian for the individual if one is appointed; and
 - (e) an individual to serve as a default surrogate.
- (2) A health care professional to whom an individual communicates or provides an instruction under Subsection (1) shall document the instruction and the date of the instruction in the individual's medical record or communicate the instruction and date of the instruction to an administrator with responsibility for medical records of the health care institution providing health care to the individual, who shall document the instruction and the date of the instruction in the individual's medical record.
- (3) A health care instruction made by an individual that conflicts with an earlier health care instruction made by the individual, including an instruction documented in a medical order, revokes the earlier instruction to the extent of the conflict.
- (4) A health care instruction may be in the same record as a power of attorney for health care.

Enacted by Chapter 439, 2025 General Session