

Nursing leader urges all adults to have health care proxies during pandemic

Carol Bova emphasizes next of kin or proxy needed to enroll patients in clinical trials for potential COVID-19 treatments

By Sandra Gray
UMass Medical School Communications

April 15, 2020



Carol Bova, PhD, RN

In the face of the COVID-19 pandemic, it is more important than ever that adults of all ages have a health care proxy naming someone to make health care decisions on their behalf if they are too sick to make them on their own, said Carol Bova, PhD, RN, professor of nursing and medicine and chair of the UMass Medical School Institutional Review Board. Bova encountered a case in which a person with COVID-19 who could not speak for himself was unable to enter a clinical trial because there was no next of kin and no available health care proxy.

“With no approved treatments for COVID-19, any experimental treatment we can offer patients is through a clinical trial or a research study,” said Dr. Bova. “In Massachusetts, if someone doesn’t have a legal next of kin or a signed health care proxy form, we can’t put them on that study.”

Bova encountered a case in which a person with COVID-19 who could not speak for himself was unable to enter a clinical trial because there was no next of kin and no available health care proxy.

“It weighed on me,” said Bova, who confronted similar situations as a nurse on the front lines of the AIDS epidemic during the 1980s. “After this recent incident, I want to get the message out.”

Having a signed health care proxy form designating an agent other than a family member is valuable even for patients who do have legal next of kin, as family members may not be close at hand during an emergency hospitalization. Under Massachusetts law, legal next of kin for adults are spouses, children and their descendants, parents, siblings and their descendants, and other degrees of family such as cousins and grandparents. Residents of other states who are receiving treatment in Massachusetts hospitals must also adhere to Massachusetts laws requiring a legal next of kin or health care proxy to make medical decisions.

“I am concerned about young adults who are disenfranchised from family and end up in the hospital,” Bova said. “We know young people are getting this coronavirus and being hospitalized. We push health care proxies for people who are older, but in this situation everyone 18 or older should have one.”

Other considerations for health care proxies include decisions about intubation and resuscitation; expressly authorizing one’s proxy to communicate decisions to health care providers via Zoom, Skype, FaceTime, email, text, phone or other electronic means; and sending the agent and family members copies of the signed proxy and health care documents.

As important as executing a proxy is letting one’s agent, family members and primary care providers know where it is.

“Put it on your refrigerator, file with all your important documents, even in a ‘go bag’ prepared ahead of a possible hospitalization,” Bova said. “It’s important to organize those things so that next of kin and proxies know your wishes and where to find the physical document, which hospital personnel will require. Not only does there need to be a signed proxy, we need to have a copy of it, which can be difficult to get due to hospitals’ current no visitor policy.”

People should also consider and discuss their wishes for care while they are able. Advanced care and end of life planning for agents, family and health care providers can be further documented with a living will.

Also, the Medical Orders for Life-Sustaining Treatment (MOLST) form details specific preferences such as Do Not Resuscitate orders and comfort care only. MOLST forms can be completed by physicians or nurse practitioners in consultation with the patients, agents and family members.

Comprehensive information, instructions and printable health care proxy forms are available [online](#).