

Medical Decision-Making During Transition to Adult Care

In Colorado, you automatically become responsible for making your own health care decisions when you turn 18. At age 18, you will need to consent to receive health care services. You will also be responsible for accessing your medical information, including records. We hope that this information is helpful to you during this transition from pediatric to adult care.

Access to Medical Information through MyChart

- At age 14, you can request access to your MyChart account. This will help you ask personal questions and can help you feel more independent. In some cases, your doctor may share information with your parents/guardians if they are concerned for your safety.
- Parents/legal guardians will have access to your records until you turn 18.
- At age 18, your parents/legal guardians will automatically lose access to your medical information. You should call 720-777-6939 to set up your own MyChart account if you have already done so.

For information on how to access MyChart, call our support team at 720-777-6939.

General Support

Medical tasks and decisions can be hard. Having a strong support system can help make sure you get to appointments, can make decisions and stay healthy. Your care team may ask if they have permission to talk about medical information with others in the room.

HIPAA

HIPAA is a process that allows your health care team to share personal health information with people other than you. By signing a HIPAA Request for Access form, you can list specific people or groups you would like your medical care team to share information with, and what information can be shared, including medical records and appointments. To find this form in English and Spanish, please visit:

<https://www.childrenscolorado.org/your-visit/medical-records/>. You can review how Children's Hospital Colorado can use and share your information in the HIPAA Notice of Privacy Practices.

Medical Durable Power of Attorney (MDPOA)

- Patients can create an advance directive called an MDPOA. The MDPOA says that you will make your own medical decisions for as long as you can. Once you can't make your own medical decisions, you can name another adult person to make decisions for you (such as a parent or caregiver). You can also write down your wishes for your parent or caregiver to follow. If you don't have something written down, your parent or caregiver must act in your best interests and do what they think you would want.
- The MDPOA can take effect immediately after you sign the forms or start on a specific date that you choose.
- The MDPOA forms can be found in the Your Right to Make Healthcare Decisions booklet on pages 14-15. Please visit these links for more information:
 - https://cha.com/wp-content/uploads/2017/03/medicaldecisions_2011-02.pdf
 - <https://cha.com/wp-content/uploads/2017/03/medical decisions spanish version.pdf>

Patients with diminished decisional making capacity

Patients who have **diminished decisional making capacity** often have trouble with the following:

- Complex medical information
- The effects of making a medical decision
- The consequences of not doing something

- The ability to communicate medical decisions

Patients who have diminished decisional capacity may need to appoint another person (parent/legal guardian) to make medical decisions for them.

Legal guardianship

Legal guardianship is a court process often used for adult patients that lack decisional capacity. The guardianship process requires a judge to find that “there is clear and convincing evidence that the person is an incapacitated person and that their needs cannot be met by less restrictive means, including the use of available technological assistance.” Through this process, a judge appoints another person to make decisions for them legally. Some important things to know:

- It can take several months and is done in the county where the patient lives.
- The patient’s doctor will need to write a letter explaining the nature and extent of the patient’s capacity.
- The person seeking guardianship must file a petition with the court asking to legally appoint a legal guardian.
- Once appointed, the guardian will be able to make all healthcare decisions for patient.
- There are several fees involved in filing a petition
- The court will send a visitor to the patient’s home for an evaluation
- The guardian will have to file yearly reports to the court

Court Self-Help Centers are available in each court listed by county that can help with the adult guardianship paperwork: https://www.coloradojudicial.gov/sites/default/files/2024-06/Sherlock_Contact_List_for_Public_06_25_24_0.pdf

Proxy Decision-Maker (PDM)

If you 18 and no legal guardian has been appointed, a Proxy Decision-Maker (PDM) could be an option to give another person the authority to make medical decisions on your behalf on a temporary basis. You would need to be evaluated by a doctor to see if a PDM is needed. If the doctor decides a PDM is needed, your medical care team will work with you and your family/caregiver to complete the process. For more details, please talk to your medical health care team.

Supported Decision-Making Agreement (SDM)

This allows an adult with a disability to voluntarily enter into a supported decision-making agreement with one or more members of the supportive community. These supports may include:

- Provide supported decision-making, including assistance in understanding the options, responsibilities, and consequences, without making those decisions on their behalf
- Help them access, collect, obtain, and understand information that is relevant to a given life decision
- Help them communicating their decisions to appropriate persons