

**CALIFORNIA PENAL CODE**

**Sections 4000-4070, 4002-4006, and 4020-4026**

**Section 4000.** This division may be cited as the Health Care Decisions Law.

**Section 4001.** Unless the provisions or context otherwise requires, the definitions in this chapter govern the construction of this division.

**Section 4002.** "Advance health care directive" or "advance directive" means either an individual health care instruction or a power of attorney for health care.

**Section 4003.** (a) "Agent" means an individual designated in a power of attorney for health care to make a health care decision for the principal, regardless of whether the person is known as an agent or attorney-in-fact, or by some other term.

(b) "Agent" includes a successor or alternate agent.

**Section 4004.** "Capacity" means a person's ability to understand the nature and consequences of a decision and to make and communicate a decision. And includes, in the case of proposed health care, the ability to understand its significant benefits, risks, and alternatives.

**Section 4005.** "Community care facility" means a "community care facility" as defined in Section 15002 of the Health and Safety Code.

**Section 4006.** "Conservator" means a court-appointed conservator having authority to make a health care decision for a patient.

**Section 4007.** "Health care" means any care, treatment, service, or procedure to maintain, diagnose, or otherwise affect a patient's physical or mental condition.

**Section 4008.** "Health care decision" means a decision made by a patient or the patient's agent, conservator, or surrogate regarding the patient's health care, including the following:

- (a) Selection and discharge of health care providers and institutions;
- (b) Approval or disapproval of diagnostic tests, surgical procedures, and programs of medication;
- (c) Decisions to provide, withhold, or withdraw artificial nutrition and hydration and all other forms of health care, including cardiopulmonary resuscitation;

**Section 4009.** "Health care institution" means an institution, facility, or agency licensed, certified, or otherwise authorized or permitted by law to provide health care in the ordinary course of business.

# California Probate Code 2003

**Ying-Ying Zheng**



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