REMOTE WITNESSING PROCEDURE

NY STATE HEALTH CARE PROXY DOCUMENT

1) Principal:

* signs the document in the presence of 2 witnesses simultaneously
* sends the document to the two witnesses electronically.

2) Each witnesses

* watches the Principal sign the document
* upon receiving the signed document, signs their signature on the page and adds the following language to the document before electronically returning the page to the principal.

*“On the \_\_\_\_\_ day of \_\_\_\_\_\_\_ in the year 2020, before me, personally appeared*

*\_\_\_\_\_\_\_\_\_\_ by way of audio-video means, in accordance with New York State*

*Executive Order No. 202.14, issued April 7, 2020, personally known to me or proved to*

*me on the basis of satisfactory evidence displayed during the videoconference, to be*

*the individual whose name is subscribed to the Health Care Proxy. I then received a*

*legible copy of the signature page on the same date that the pages were signed by \_\_\_\_\_\_.”*

3) Principal receives the witnessed document(s) and writes onto the document or prints out the following ‘social distancing statement’:

*“I have appointed my health care agent and, if applicable, alternate agent as indicated on this form and have communicated my health care wishes to them. I am executing my New York State Health Care Proxy form during this extraordinary time of COVID-19 when social distancing and quarantines are in force and I am unable to sign and date this form in the physical presence of two witnesses. The two witnesses were, however, virtually present and watched me sign and date this form via real-time video conferencing (e.g., FaceTime, Skype, Zoom, etc.). After I signed the form, I sent a copy to each witness via fax or electronic means. Each witness signed and dated the form and returned it to me.*

*This form supersedes any Health Care Proxy form that I may have completed previously and remains valid until such time as COVID-19 social distancing and quarantine procedures are no longer required or recommended in New York.”*

4) Principal staples the original form with their signature, together with the statements and the witness signature pages together. Completed documents and attachments are shared with the designated health care agent, alternate and other important people.