



POLICY: Legally Authorized Representatives Children and Guardians

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1. PURPOSE

1.1. This policy describes the [Organization]'s determination of which individuals are:

- 1.1.1. <Legally Authorized Representatives> (LARs)
- 1.1.2. <Children>
- 1.1.3. <Guardians>

2. POLICY

2.1. When research is conducted in Oregon, the following individuals are <Legally Authorized Representatives> in the following order of priority:

- 2.1.1. Health care representative, legally authorized by a valid advance directive or health care power of attorney
- 2.1.2. Court appointed guardian
- 2.1.3. If the above two do not exist or cannot be located with reasonable effort, another surrogate who knows and can represent the previously expressed wishes of the potential subject, in the following order of preference:
 - 2.1.3.1. Spouse or registered domestic partner
 - 2.1.3.2. Adult child
 - 2.1.3.3. Either parent
 - 2.1.3.4. Adult sibling
 - 2.1.3.5. Adult designated by others on this list, if no one on the list objects
 - 2.1.3.6. Other adult relative or friend who has an established relationship with the potential subject

2.2. For research outside Oregon, legal counsel has authority to determine which individuals are <Legally Authorized Representatives>.

2.3. When research is conducted in Oregon, individuals under the age of 18 years are <Children> with the exception of:

- 2.3.1. Individuals of any age when the procedures involve hospital, medical or surgical care related to the diagnosis or treatment of venereal disease
- 2.3.2. Individuals of any age when the procedures involve birth control information or services
- 2.3.3. Individuals of any age who are married
- 2.3.4. Individuals of any age who are emancipated minors
- 2.3.5. Individuals 15 years of age or older when the procedures involve hospital care, or medical or surgical diagnosis or treatment
- 2.3.6. Individuals 14 years of age or older when the procedures involve outpatient diagnosis or treatment of a mental or emotional disorder or a chemical dependency, excluding methadone maintenance

2.4. For research outside Oregon, legal counsel has authority to determine which individuals are <Children>.

2.5. Individuals who can document that they are legally authorized to consent on behalf of the child to general medical care may serve as a <Guardian>.

3. REFERENCES

- 3.1. ORS 109.510, 109.520, 419B.550-558, 109.640, 109.610, 109.675