**Section 295.6030 Resident's Representative**

a) *Designation of a resident's representative may be accomplished through the Illinois Power of Attorney Act, pursuant to the guardianship process under the Probate Act of 1975, or pursuant to an executed designation of representative form specified by the Department.* (Section 10 of the Act)

b) The Department and the establishment shall recognize the authority of a resident's representative designated in accordance with this Section, a legally appointed guardian, an agent designated by the resident pursuant to the Powers of Attorney for Health Care Law, or a surrogate decision maker appointed in accordance with the Health Care Surrogate Act.

c) The designation of a representative pursuant to the Department's form shall meet the following conditions:

1) The designation shall be in writing and be signed by the resident;

2) Documentation of the designation shall be provided to the establishment; and

3) The resident must be competent at the time of the designation.

d) If a resident *is not able to communicate his or her own needs* in any manner, the resident's representative must reside in the establishment and *have a prior relationship to the resident*. (Section 75(c)(2) of the Act)