Reviewer’s report

Title: A mixed methods investigation of surrogate end-of-life decisions among older adult partners

Version: 2 Date: 23 Jan 2020

Reviewer: Amber Comer

Reviewer's report:

Although I appreciate and agree with the authors response about substitute judgement still being utilized in many countries, I strongly believe that the best interest standard should be at least mentioned. My reasoning is that the authors give an outdated source on the subject (Buccan and Brock) which was written before most states in the US started making major changes in surrogate laws. Although this paper is not going to a US audience specifically, the paper as written misrepresents the standard used in the US, because almost all states have moved away from substitute judgement toward best interest (this is easily found in the literature). I also think when speaking about surrogate decision making, it is hard to get around discussing best interest in addition to substitute judgement. I am not suggesting that you take out what you have written about substitute judgment, I am merely suggesting that you add a sentence or two about best interest.

Also, I still think the background is rather confusing and hard to follow. To that point, I made an entire comment about how something seemed to come out of nowhere that you mentioned in the discussion section because it was so hard to follow in the background (trust me I read the background multiple times before I wrote that comment and as a novice to your theories section, it was hard to follow). I think that making the background more concise will help you keep readers attention as it is rather hard to follow as written. I am only giving these comments to help improve the readers experience and understanding of your hard and important work.

Are the methods appropriate and well described?
If not, please specify what is required in your comments to the authors.

Yes

Does the work include the necessary controls?
If not, please specify which controls are required in your comments to the authors.

Yes

Are the conclusions drawn adequately supported by the data shown?
If not, please explain in your comments to the authors.

Yes
Are you able to assess any statistics in the manuscript or would you recommend an additional statistical review?
If an additional statistical review is recommended, please specify what aspects require further assessment in your comments to the editors.

I am able to assess the statistics.

**Quality of written English**
Please indicate the quality of language in the manuscript:

Acceptable

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