

Power of Attorney for Health Care (POAHC)

What is it?

A Power of Attorney for Health Care (POAHC) is a legal document that lets others know your wishes. You can pick someone you trust to make health care decisions for you if you ever get too sick or hurt to make them yourself.

Legal Tune Up will guide you through the POAHC form for free.

Why is it important?

Having a POAHC ensures that someone you trust, the agent, can legally act on your behalf if you have a medical emergency.

If you have a medical emergency and are unconscious or unable to communicate, a POAHC ensures your medical wishes are followed.

What happens if you don't have a POAHC in Wisconsin?

The rules for every state will be different. If you live in Wisconsin, you will need a POAHC that follows Wisconsin rules.

In Wisconsin NO ONE can make legally make medical decisions for you without a Power of Attorney for Health Care.

In March of 2026, Governor Evers signed a new "next-of-kin" law that allows for the transfer from hospital to long term care to be approved by family members without a POA or guardianship petition.

For every other situation, **there is no default.** Without a POAHC, your loved ones may need to go to court for guardianship, which can be a lengthy and costly process. Medical decisions may be delayed or made by healthcare providers without guidance on your wishes.

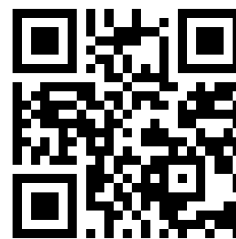
When does it go into effect?

A POAHC goes into effect when two health care providers determine that you are not able to make decisions for yourself.

Psychiatric Advance Directives (PAD), & Living Wills

Wisconsin does not currently recognize a Psychiatric Advance Directive (PAD). If you would like your agent to act on your behalf regarding mental health care, you must document your wishes in the "Special Provisions" section of the standard Power of Attorney for Health Care form.

A Living Will covers what you want for your health care. A POAHC does this **and** covers who can make decisions for you if you can't make them. You do not need both a living will and a POAHC.



Get started on your Power of Attorney for Health Care today at [Legaltuneup.org](https://legaltuneup.org)!

20 minutes now could save your loved ones weeks or months in the future.

POAs are critical tools in estate planning that provides security and clarity for you and your loved ones. Regularly reviewing and updating POAs ensures they still meet your needs.

