

Tune-up Tips for Power of Attorney

A Power of Attorney for Health Care (POAHC) is a legal document that allows a person (the "principal") to designate another person (the "agent") to make health care decisions for the principal.

Ten FACTS About the Power of Attorney

It is important to know what a POAHC CAN do and what it CAN'T do. This list addresses common questions.

POAHCs Are Helpful for Everyone

A Power Of Attorney for Health Care are useful for people of all ages. Accidents or sudden illnesses can happen to anyone, It's important to have a POAHC regardless of age.

Creating a POAHC Does NOT Mean Losing Control of Your Affairs

You can still make your own decisions and manage your affairs as usual, but with a POAHC the agent can step in when you are unable to make health care decisions.

POAHC Cannot be Used to Change your Will

A Power of Attorney does not mean the agent can change your will. Only you can change your will, and you can only change your will with a clear mind.

You Can Choose Anyone to Be Your Agent, But It Should Always Be Someone You Trust

You can pick anyone to be your agent if they agree to do it. You should pick someone you trust to be your agent. You should be sure that they will respect your wishes, even if they would not make the same choice for themselves.

There Are Many Kinds of POA

There are many types of POAs. The main ones are for medical and financial decisions. A POAHC is for medical. POAs can be limited or broad in the powers they grant. They can last for a short or long period of time.

A POAHC Does NOT Grant Unlimited Authority

The Power of Attorney for Health Care does not give the agent ultimate control over your health care. Legally, the agent **MUST** act in your best interests and following the wishes you put in the document.



A POAHC CANNOT Be Executed Without A Clear Mind

The principal (you) must sign the document with a clear mind. You cannot make a POAHC if you are unconscious or unaware of your surroundings. If the principal is already unaware or unconscious, they cannot legally make a new Power of Attorney for Health Care. This is a reason to make one when you are healthy.

POAHCs Should Be Discussed and Updated Throughout Your Life

A POAHC should be looked at and updated regularly to reflect any changes in your life or wishes. You should review your POAHC when any of the following occur: death of family or close friend, divorce, getting a new diagnosis, having a major decline in health, or reaching a new decade.

POAHCs Are NOT Always Accepted by Financial Institutions Like Your Bank

Some financial institutions may reject a POA due to concerns about fraud or outdated documents. It's important to ensure your POA is up-to-date and meets the institution's requirements.

The Nursing Home Question in a POAHC Does NOT Mean You Have to Go to a Nursing Home

Checking the nursing home option in the POAHC form does not automatically mean you will end up in a nursing home. It gives your agent the option to admit you for reasons outlined in the document. If you check "no," your agent **cannot** admit you for a long-term stay even if you really need the care and they may need to spend money to go to court to get permission to get you the care you need.

Check out the Legal Tune Up tool today to get started!



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