

## Why Do You Need A Health Care Directive?

A health care directive is a legal document that lets you express your health care preferences and, if you wish, designate authority to someone to make care decisions for you if you cannot make them yourself. Some may think this is needed only near the end of life, but that's not its only use. There are other times when it can prove useful:

- Any time you become severely ill or incapacitated - even if for just a short time period
- If you are a young adult who is over 18 and heading to college

Health care directives generally do three things:

- One part, often referred to as a Living Will or Advance Directive, lets you express your preferences about medical treatment if you become unable to make decisions yourself.
- A Power of Attorney (POA) for Health Care (also known as a Durable POA for Health Care or Health Care Proxy) lets you designate a trusted person to make decisions for you when you are unable to communicate or make them yourself.
- A privacy authorization under the Health Insurance Portability and Accountability Act (HIPAA) makes it possible for health care providers to share private medical information with the agent you designate.

### Short-term incapacitation

While the coronavirus is top-of-mind, other serious illnesses or limiting medical conditions could create incapacitation. Examples include surgery that will require a longer-than-usual recovery period, cancer treatments, side effects from specific medications, and mental health issues.

During such times, it may give you peace of mind to have someone you trust who will be able to communicate with medical professionals, share that information with you later, and even make decisions for you if necessary.

Potential benefits include:

- Helping to ensure that doctors communicate important medical information with your agent, who can keep other family members or caregivers informed.
- Allowing an authorized person to communicate with insurance companies, billing departments, and pharmacies, and schedule appointments on your behalf.

This documentation can be especially important for unmarried individuals. Designating someone in advance is important - not just for you, but so children, parents, partners, friends, or others who care about you are not left powerless to help.

### A health care directive for an adult child

If your child is age 18 or older, you may want to make sure he or she executes a health care directive and names an agent, either you or a trusted friend or relation, who can make decisions.



This is important to ensure that parents, if named as agent, retain the ability to talk with doctors and hospitals and make health care decisions if your child is unable to communicate or incapable of making decisions on their own. It's a scenario a parent never wants to consider, but you will be thankful for this document if you ever need it.

You may also want to consider the need for parents to communicate with doctors, hospitals, pharmacies, and insurance companies. HIPAA prevents medical care providers and insurance companies from releasing information about a person's medical records or current condition unless authorization has been given. In many families, young adults understand why it's beneficial to ensure that parents can help in the event of a serious illness or medical emergency.

### **Protecting yourself just makes sense**

Creating a health care directive can be part of a wider conversation about estate planning strategies. You will want to consult trusted professionals, including your financial advisor, estate planning attorney, and accountant. They know questions to ask and can help you avoid potential pitfalls.

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