

POWER OF ATTORNEY FOR HEALTH CARE

- **What is a power of attorney for health care?**

A power of attorney for health care is a document executed by a competent person (the principal) giving another person (the agent) the authority to make health care decisions for the principal if he or she is unable to communicate such decisions him- or herself.

- **Why have a power of attorney for health care?**

In case you ever become incapacitated, it is important that someone has the legal authority to communicate your wishes concerning medical treatment. This is true especially if you were to disagree with family members or they were to disagree among themselves about your treatment. By executing a power of attorney for health care, you ensure that the directions that you have given your agent will be carried out in the event of such disagreement.

- **Whom should I appoint as my agent?**

Since your agent is going to have the authority to make medical decisions for you in the event you are unable to make such decisions yourself, it should be a family member or friend that you trust will follow your wishes. Before executing a power of attorney for health care, you should talk to the person whom you want to name as your agent about your wishes concerning medical decisions, especially life-sustaining treatment.

- **Should I have a medical directive?**

A medical directive provides your agent with instructions on what type of care you would like. If you wish, you may include a medical directive in your health care proxy. It may include specific instructions concerning the initiation or termination of life-sustaining treatment or a more broad statement granting general authority for all medical decisions that are important to you.

- **When does a power of attorney for health care take effect?**

Unless the power of attorney for health care is “springing,” it takes effect as soon as it is signed by the principal. A “springing” power of attorney takes effect only when the event described in the instrument itself takes place. Typically, this is the incapacity of the principal as certified by one or more physicians.

- **What if I regain the ability to communicate my own decisions?**

If you become able to express your wishes at any time, you will be listened to and the health care proxy will have no effect.

- **Who should have a copy of my power of attorney for health care?**

Your agent should have the original document. You should have a copy and your physician should have a copy with your medical records.



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