

Legal Information

Advanced Directives

Advanced Directives allow you to give your doctor and other health care professionals specific directions on care you may or may not want in the event of a medical emergency. Advanced Directives specify who has the authority to make decisions on your behalf if you are unable to make decisions. It is important to share your personal beliefs about what makes your life worth living and your views on quality of life vs. quantity of life. For more information on end-of-life health care decisions please visit <https://www.nia.nih.gov/health/making-decisions-someone-end-life>

Durable Health Care Power of Attorney or Healthcare Proxy

A Durable Health Care Power of Attorney (DHCPOA) gives the person you name specific authority to make medical decisions for you when you are not able to make your own choices about treatment known. Sometimes the person you name is called a "Health Care Proxy."

The person you name is required to consult with your doctor and has the right to access your medical information to make informed decisions about your care. A Health Care Proxy only goes into effect when you are found to be incompetent and unable to either understand and/or communicate your own health care decisions. It is strongly recommended that you have an attorney assist you in completing a Durable Health Care Power of Attorney.

Financial Power of Attorney

A Financial Power of Attorney gives the person you name full authority to act on your behalf in all financial matters.

*** USE CAUTION WHEN GIVING SOMEONE AUTHORITY OVER YOUR FINANCES***

The crime of Financial Exploitation is often committed by trusted family members, caregivers, or friends.

Living Will

A Living Will is a document that provides information and directions to your health care agent, your family, and your doctor about the medical treatment that you want at "end-of-life". A Living Will goes into effect when you have an incurable or irreversible illness with no hope of recovery. If there is a small chance of recovery, a Living Will may not be in effect. Recovery does not necessarily mean a full return to prior health.

Your end-of-life directions could include refusing, or removing, life support if you are in a coma, a persistent vegetative state, or have a terminal illness or injury that will result in death within a short period of time. Your directions may be to use every effort to keep you alive for as long as possible.

Guardianship

If a doctor determines a person is no longer medically able to make decisions on their own and the person did not name a Power of Attorney, then a judge in the probate court where the individuals' lives must determine who has the legal authority to make decisions on behalf of the individual. A physician must complete documentation that the individual is unable to make decisions for themselves. Someone must step forward to petition the probate court to become the Guardian for the individual. The individual and their family must be notified of the petition by the court. A guardian-ad-litum will meet with the individual to assess what the individual may want and what may be in the person's best interest.

Visit RI Elder Info's website to learn more!

<https://rielderinfo.com/legal-financial/>