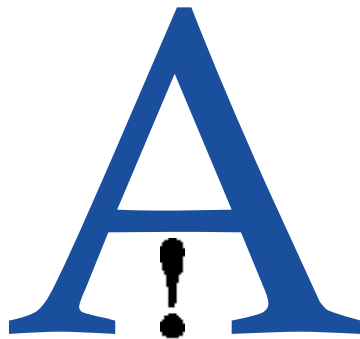




Living Wills,  
Powers of Attorney  
and  
Advance Medical Directives



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# Living Wills, Powers of Attorney and Advance Medical Directives

## What is a living will?

A living will is a legal document in which a person expresses his or her wishes with respect to end-of-life decisions and care in the event of terminal illness.

## What is a medical power of attorney?

A medical power of attorney is a legal document by which a person appoints someone to act for him or her in connection with healthcare decisions when the person is unable to make his or her own decisions. The grant of authority generally includes communicating with physicians, other medical providers, and insurance companies, reviewing medical documents, and making decisions relating to medical care and treatment.

## What is an advance medical directive?

An advance medical directive is a legal document which combines the living will and the medical power of attorney. The purpose of the document is to express the wishes of the person regarding medical decisions and to appoint an agent and a successor agent to carry out those wishes.

## Who needs a living will, medical power of attorney, or advance medical directive?

These documents are beneficial for everyone, but are especially important for those persons who are elderly, in poor health, or anticipating surgery or hospitalization.

## Should I provide a copy of my living will, medical power of attorney, or advance medical directive to anyone?

We recommend having a copy of your living will, medical power of attorney, or advance medical directive on file with your physician and at any hospital where you receive treatment. You should also give a copy of your document to your agent or

advise your agent where you keep your document, provided your agent will have access to such location in an emergency. You should also have a copy of the document at home along with any other information that emergency personnel may need to have.

## Does a living will, medical power of attorney, or advance medical directive expire?

No. The living will, medical power of attorney, or advance medical directive remains in effect for the lifetime of the person executing it, unless the person desires to provide for an expiration date in the document. However, if you move to another state, you should have an attorney in your new state review your document to be certain that your document complies with your new state's statutory requirements.

## How does HIPAA (Health Insurance Portability and Accountability Act of 1996) affect me?

Many healthcare providers now deny third parties access to healthcare information. An individual's living will, medical power of attorney, or advance medical directive should include a specific, immediate authorization under HIPAA for the healthcare agent to obtain confidential information concerning the individual's mental and physical condition. This authorization will enable the agent to communicate with physicians and review medical records.

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