

RECOMMENDED BASIC LEGAL DOCUMENTS

Medical and financial emergencies can arise suddenly, and it is important to have the following legal documents in place so as to ensure that your decisions and preferences are known, honored and implemented.

Durable General Power of Attorney

This authorizes an agent to act on your behalf in managing your financial matters.

It is important to have this document available if action is needed when you are not physically present, and if you become incapacitated. Because it is "durable" it remains in effect if you are incapacitated.

Advance Medical Directive

This is a witnessed document which can contain various directions as to your health care, as follows:

Health Care Power of Attorney

In it you would authorize an agent to make health care decisions on your behalf if your attending physician and another licensed physician or clinical psychologist determine that you are not capable of making an informed decision on your own.

Release of Information

The Advance Medical Directive would authorize the agent to receive information on your physical and mental condition and the diagnosis, prognosis, care and treatment. It would include a HIPAA (Health Insurance Portability and Accountability Act) Privacy Rule authorization to release protected health information to designated parties.

"Living Will"

If you wish, your Advance Medical Directive can also contain a direction that life prolonging procedures shall not be applied if your attending physician determines that you have a terminal condition and the application of such procedures would only artificially prolong the dying process. This is often called a "Living Will."

Will

Your Will states who is to receive your assets after your death, and it also nominates an Executor whose job it is to carry out your directions in the Will.

Revocable Living Trust

A Revocable Living Trust Agreement should be considered for use in addition to your Will. It can be of benefit both during your lifetime and after your death.

Location of Important Records

It is valuable to provide those close to you with a memorandum stating where important records are located. These would include the documents listed above as well as your safe deposit box location and key, insurance policies, funeral directions, social security card, and tax records. Addresses of beneficiaries named in your will or trust agreement are also helpful.