

Title:

Living Wills and Healthcare Power of Attorneys Help to Make Sure Your Wishes are Met

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Summary:

No one can foresee problems that may arise should he become incapacitated. Yet, you can avoid negative consequences of unforeseen problems by creating Living Wills and Healthcare Power of Attorneys (HCPOA).

Keywords:

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Article Body:

No one can foresee problems that may arise should he become incapacitated. Yet, you can avoid negative consequences of unforeseen problems by creating Living Wills and Healthcare Power of Attorneys (HCPOA).

Setting up a Living Will or HCPOA is a relatively simple task. The first step is to consult with an attorney that specializes in estate planning to ensure that your documents are clear. Here's an overview of what you can expect from your Living Will and HCPOA.

Healthcare Power of Attorney

The HCPOA, otherwise known as a "healthcare proxy" is a legal document that enables an individual that you appoint (your "agent") to act as your healthcare representative if you become incapacitated. The agent becomes your acting representative at the moment you become incapacitated, thus eliminating the need for your loved ones to argue over your rights and wishes in court.

Your agent has the authority to request or deny any medical treatment that he determines to be appropriate. Therefore, it is a good idea to choose someone that you trust as your agent. Please note: In most states, your spouse will be your default agent. If you are not married but are in a lifelong relationship your partner, he does not automatically become your agent. Make sure that you appoint your partner as your agent to ensure that he or she has control over your medical decisions if you are unable to make them.

Because your agent has whatever powers you give him or her, make sure that he or

she understands your desires. Some of the decisions he or she may need to make include but are not limited to:

- Deciding whether or not you will receive medical treatment
- Withdrawing life-support

Living Will

A Living Will and HCPOA should be used in tandem, since one document complements the other. Your Living Will is a document that clearly expresses your desires. In short, your Living Will provides your medical team with instructions for how to carry out your wishes should you become incapacitated. For example, if you become brain dead, you can state in your Living Will that you wish to receive or not to receive life support.

By creating a Living Will, you ensure that your desires will be carried out without court involvement that can be costly and stressful for your family. Criteria for enacting a Living Will vary by state; so make sure that you consult with an attorney to ensure that your Living Will complies with the rules in your state.