



FIVE LEGAL DOCUMENTS EVERYONE 21 AND OVER MUST HAVE!

The time to plan for an emergency is **NOT WHEN YOU ARE IN ONE!** The time to plan for an emergency is when you are clear minded, calm and can think straight. These 5 simple legal documents are a must have for everyone over 21 years of age.

The five simple components to your *Health Care Pack*.

1. **Durable Financial Power of Attorney** This document gives the person you name, called an Agent or Attorney-in-Fact, the authority to sign legal documents for you. Beware, not all Powers of Attorney are created equal. It is important that you explain your particular needs to your Attorney so the appropriate language can be included in your Power of Attorney. If you don't, you run the risk that your Power of Attorney won't work for what you want when you need it.
2. **Medical Power of Attorney** This document permits the person you appoint to make medical treatment decisions for you. Remember, this document only comes into play if you cannot communicate your wishes to your doctor yourself. If you are ever in a medical crisis, the last thing you need is your family and loved ones fighting amongst themselves over how your treatment should happen. This document insures that the person you trust will be in charge.
3. **HIPAA Release Form** In 1996, congress enacted the Health Insurance Portability and Accountability Act. One of the objectives of this act was to protect the privacy of our medical records from getting into the wrong hands. That is a noble objective but the application of the law has caused some unexpected consequences. If you are trying to help a loved one by gathering their medical records to deliver them to a new treatment center, you will run into a brick wall unless you have your loved one's written permission [i.e.. a HIPAA release form]. This simple document will save you untold headaches in your pursuit to help your loved one.
4. **Advanced Directive** Sometimes called a Living Will, an Advanced Directive is a document that communicates to your doctor how it is you wish to be treated in the event you are unable to talk to your doctor yourself AND you are in a condition that your doctor believes is terminal [meaning death is imminent within 6 months or less] OR you are not terminal but you are not going to regain consciousness. When you put your wishes in writing in an Advanced Directive, you take the burden off the back of your family in trying to decide what you would want to do in this very difficult situation.
5. **Declaration of Guardian** If there ever comes a time in your life when you are unable to care for yourself, someone will need to care for you. When this happens, the legal process is called a Guardianship proceeding. Many times, your loved ones will be at odds over who should take on this responsibility. The best way to avoid this kind of a battle is to simply put your wishes in writing way ahead of time. When you include a Declaration of Guardian with your official papers, you insure that your loved ones will not waste energy and resources fighting over who is going to be your Guardian.

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