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Putting Your Loved One's Affairs in Order

There are several legal papers and documents that should be addressed by your loved one before a life-threatening situation arises. Once a healthcare emergency strikes, it may be too late to prepare these documents. That's why you should talk to your loved one about getting his or her affairs in order and to put their wishes regarding healthcare in writing while they are still healthy and able.

Selecting a Healthcare Proxy

If you have siblings or other relatives, you and your loved one should determine together who will be the proxy. Think about who shares the same views and values about life and medical decisions as your loved one. It can be a family member, a friend, a lawyer, or someone who shares the same religious faith. It's a good idea to also name an alternate proxy. It is especially important to have a detailed living will if your loved one chooses not to name a proxy.

Your loved one can decide how much authority the proxy has over his or her medical care, and if he or she is entitled to make much of the crucial decisions, or only a few specific ones. Check with the chosen proxy and the alternate before they are officially named to make sure they are comfortable with this responsibility.

Making It Official

Your loved one should talk with the doctor and have an idea of the types of decisions that could come up in the future, especially if certain health problems are present. The next step is to fill out the legal forms detailing your loved one's wishes. A lawyer can help, but is not required. If your senior wants one, don't depend on the lawyer to help him or her understand different medical treatments. That's why it is wise to start the planning process by talking with the doctor. If your loved one wants a lawyer, find an elder law attorney.

Not planning in advance means that you might not be able to gain access to the information you need, or act on your loved one's behalf if he or she is unable to do so. In a worst-case scenario, you might be forced to fight in court for guardianship, a time-consuming and costly process. You can avoid this scenario by working with your loved one to prepare these documents.

Important health care documents include:

A medical directive: Also known as a living will or advance health care directive, this document specifies the kind of care your loved one wants to receive if and when he or she becomes ill or incapacitated. This must be handled while your loved one is able. It is crucial that the person who is named health care proxy knows the senior's wishes in the event that he or she needs life support, a feeding tube, or intravenous fluids to survive. That is why this is a very important document for family caregivers to have. You can also have an Advance Directive Wallet Card for your loved one to carry in his or her wallet, indicating that an advance directive exists, and where it is kept.

A durable power of attorney for healthcare: This document allows you to make healthcare decisions for your loved one.

A durable power of attorney for finances and HIPAA release: This gives you permission to manage your loved one's financial affairs, pay bills, sell property, and so on. A HIPAA release gives you access to his or her health records and physicians.

A revocable living trust: This allows your loved one to retain control over his or her estate while making transfers of assets to beneficiaries. They designate what property (home, investments, jewelry, and so on) goes into the trust and to whom it will be granted. During their lifetimes, they act as executors of their own living trust. The most important advantage: it allows the estate to avoid probate at the time of death.

A will: A will makes clear who will receive your loved one's assets and personal property. A properly written will helps to avoid disagreements over the estate after his or her death.

Additional documents: These can include life insurance and long-term care policies; an end-of-life instructions letter (regarding wishes or items not covered in the will); or an existing organ donor card.

Fast Fact

If you need legal counsel and money is tight, check with your state's bar association to find low-cost legal help in your area.

It's not enough to merely have these documents – they must be accessible. Experts recommend that seniors or their loved ones keep all of these important documents in one master folder or box. It should be placed in a safe place at home such as a safe deposit box or fire safe.

Nobody can predict the future. Your loved ones may never face a medical situation where they are unable to speak and make their wishes known. But having an advance directive may give your loved one and those close to you some added peace of mind.

Comfort Keepers® also provides peace of mind. Our trained and carefully screened caregivers will provide quality, in-home care for your loved one, so you can relax and not have to worry. Caregivers can perform household tasks, prepare meals, make sure your loved one is safe and taking his or her medications, get him or her to appointments, and more. Call your local office today!

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