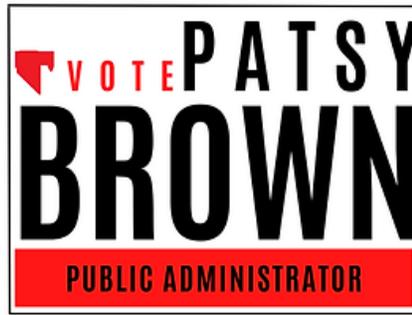


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The Legacy Preparation Program safeguards property from government seizure and probate court. The Program also provides estate planning paperwork, document preparation, notarization, and registration. All services are supervised by a lawyer and provided by a licensed document preparer. The program is available to the entire community at no cost thanks to sponsorship by Patsy Brown and the Armed Forces Chamber.

Medical Power of Attorney

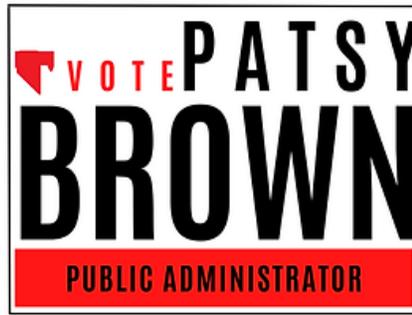
A Medical Power of Attorney designates an individual to make medical decisions for you when you no longer have the capacity to do so. The person you choose to make health care decisions on your behalf when you cannot is referred to as your agent.

Any competent adult can be your agent, but it's important to keep in mind that some states enforce these exclusions: your physician or health care provider; an employee of your physician or health care provider (unless the employee is your relative); your residential health care provider (a nursing home, for example); an employee of your residential health care provider (unless the employee is your relative). If an individual has any of the designations, they cannot act as your agent for the purposes of a Medical Power of Attorney in some states.

This may be needed temporarily (if, for example, you're under anesthesia and surgery complications arise) or for navigating a longer-term health crisis. The Medical Power of Attorney will only go into effect when you do not have the capacity to make decisions for yourself regarding medical treatment.

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How a Medical POA Works

A Medical Power of Attorney will focus only on health-related decisions and will be written according to the exact specifications of the individual making the directive. As such, a Medical Power of Attorney can include provisions for a wide range of medical actions including personal care management, hiring a personal care assistant, deciding on a medical treatment, and making decisions on medical treatments overall.

In most states, a Medical Power of Attorney must be signed and notarized by a notary public before it is a binding legal document. You may also be required to have witnesses present when your Medical Power of Attorney is signed. Neither a healthcare professional nor a lawyer is necessary to create a medical power of attorney.

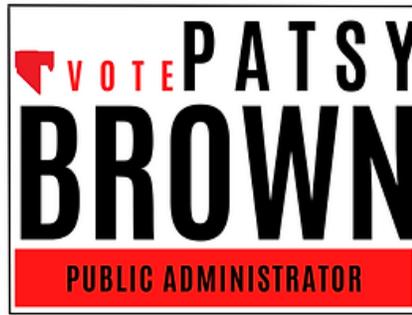
You can revoke your Medical Power of Attorney at any time. You can also complete a new Medical Power of Attorney and designate a new agent.

How Do You Choose a Medical Power of Attorney?

Many people have strong feelings about the kind and degree of medical treatment they want. Therefore, it's important to think carefully about whom to appoint; the person you choose should be someone you can expect to make decisions similar to those you would make for yourself. This person should be over 18 years old and be someone you trust with whom you can discuss your wishes frankly. You should ask the person you select if they feel able to take on the responsibility.

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Keep in mind: this person may be making very difficult choices, including ones that may end life by ceasing medical care. Not every person is prepared for this responsibility. You will also want to consider whether the person is close by and can meet with your doctors should the need arise.

Usually, you appoint only one person as your medical power of attorney, though you can name alternates for situations when that person might not be available. You will also want to consider whether the person is close by and can meet with your doctors should the need arise.

Establishing a Medical Power of Attorney

Consider Who You Should Choose as an Agent: You should choose someone whose judgment you trust, and someone you are confident can capably fill the role. A good agent will, most importantly, be assertive. There may be times that they need to carry out your will against the wishes of other family members. This person needs to be able to communicate effectively even when faced with resistance.

Have the Form Notarized: A Medical Power of Attorney needs to be notarized, which means that you will need to take the form to a notary and sign it in front of the notary. Some states may also require you to have witnesses to the signing that attest that you appeared to be in sound mind and signed the document of your own free will.

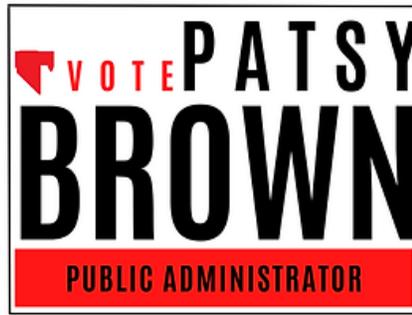
Distribute Copies of the Form: Many people may need access to your Medical Power of Attorney form. These individuals may include your primary care physician and any

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specialist who treats you regularly; those designated as your medical power of attorneys; close family members or friends; your lawyer; the administrator of your assisted living facility; any hospital or medical clinic where you receive treatment.

Example of a Medical Power of Attorney

Sharon's mother's kidneys are failing. She wants to organize her medical and financial documents for her. A Medical Power of Attorney is recommended for everyone, but especially those with a serious, progressive illness. However, it is important that Sharon's mother is well enough to understand what she is doing when she creates these documents. A Medical Power of Attorney will communicate the treatment wishes of Sharon's mother in the face of a crisis. Sharon lives in Ohio, so she uses the form that is written into Ohio's state statutes. Because Sharon wants to address all the nuances of her mom's health and directives, she gets advice from an attorney after her mother's Medical Power of Attorney is drafted.

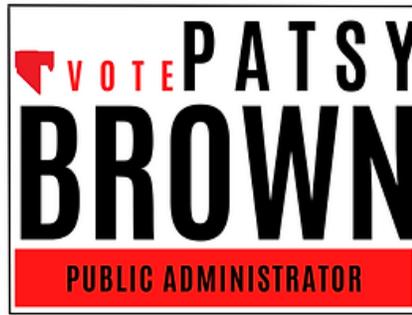
Special Considerations

Should You Choose One Person or Two Different People?

It is possible for the Medical Power of Attorney and financial power of attorney to be the same person. Many people do choose this route, appointing one person such as a spouse or adult child to both roles. However, medical, and financial powers of attorney can be created and designated for a variety of different reasons. It may sometimes be preferable and more prudent to ask different people to take on these roles.

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Selecting a different person for your financial power of attorney and your Medical Power of Attorney may help you choose the best person for each job. If you do select different people for each role, you may want to consider how they might work together in your best interest, should the need arise. Discussing your wishes with them together and also one-on-one can help ensure your best interests.

Power of Attorney vs. Executor of a Will

Both a power of attorney and an executor of a will are persons that are legally appointed to help another person manage their finances and affairs when they are incapacitated. The difference is that a power of attorney manages someone's affairs while they are still alive, whereas an executor of a will manages someone's affairs after they've died.

Medical Power of Attorney FAQs

What Does a Medical Power of Attorney Allow You To Do?

A Medical Power of Attorney is a legal document you use to name an agent and give them the authority to make medical decisions for you. An agent can decide the following for you:

- Which doctors or facilities to work with
- What tests to run
- When or if you should have surgery
- What kinds of drug treatments are best for you (if any)
- Comfort and quality of life vs. doing everything possible to extend life
- How aggressively to treat brain damage or disease
- Whether to disconnect life support if you're in a coma

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Can a Doctor Override a Medical Power of Attorney?

No, a doctor cannot override a medical power of attorney. Your doctor is obligated to follow the direction of the person you designate as having Medical Power of Attorney over you.

What Happens If You Don't Have a Medical Power of Attorney?

The rules in every state are different. However, what usually happens is that the court steps in and appoints someone to take care of your medical decisions for you. This person will be called a conservator. In most cases, the court will appoint a close family member for this role.

The Bottom Line

A Medical Power of Attorney allows you to decide for your medical decisions in the event you are incapacitated or otherwise incapable of doing so yourself.

Creating a Medical Power of Attorney is generally regarded as a smart part of every estate plan.