

Elder Law

Q. I've heard lots of terms used for Powers of Attorney: Durable Power of Attorney, Springing Power of Attorney, Advance Healthcare Directive, Living Will and Appointment of Health Care Representative. What do I really need?

A. A power of attorney is a document that you sign to designate an individual or individuals to act on your behalf in the event that you become incapacitated. A durable power of attorney is one that survives even if you become incapacitated. A springing power of attorney is one that requires the documentation of a physician stating that you are incapacitated.

An advance healthcare directive is a broad term that is used to describe various documents in place for someone to make health decisions on your behalf if you are no longer able to make these decisions for yourself. A living will in Indiana is a



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document in which you designate what type of treatment you would like if you are in a prolonged vegetative state. An appointment of a healthcare representative is a document that you sign to designate an individual or individuals to make medical decisions for you in the event that you become incapacitated.

Because there are a number of things to consider in regards to these documents, it is best to seek the counsel of an elder law attorney to help determine which documents are appropriate for you.

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