

Advance Health Care Directive and Power of Attorney

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Fullerton Community Center, Fullerton, CA

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Introduction

1) What is Incapacity and Why Plan?

2) How to get started

- a) Medical assessment
- b) Care needs now and in the future
- c) Who will carry out your plan
- d) Decisionmakers for med and finances
- e) Gather essential documents
- f) Decide on your team members
- g) Meet with a qualified Elder Law Attorney

3) Legal essentials

a) *Power of Attorney for Finances*

- Durable vs. regular
- General vs. limited
- Immediate vs. springing
- Important powers that can be included
- Agent compensation, liability, rights, and restrictions
- What it can do that a trust cannot
- Should it be drafted by an attorney?

b) *Advance Health Care Directive*

c) *POLST*

d) *HIPAA authorization*

- e) Organizing & keeping your plan current
- f) Sharing your documents

4) Conservatorship – the alternative

- a) Court-appointed vs. your nomination
- b) Conservator of estate vs. person
- c) Procedures and costs
- d) Duration

Summary & Questions from Audience