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Avoiding Health Care Issues

Many of us hope to live for a long time and age gracefully, however we need specialized legal documents to ensure that our wishes are carried out while considering our monetary and health needs at that time, in the event that we become mentally or physically incapacitated.

These documents are referred to as: Power of Attorney, Health Care Proxies and Health Care Surrogate, and appoints an individual to carry out our financial and health care wishes without questions or complications. The most comprehensive document is a living will, which plans for our end of life and incapacity. This delegates the responsibility of carrying out our decision such as "Do Not Resuscitate" and care in an emergency situation to a specific individual we trust.

If you become incapacitated and do not have these documents, a court will appoint a guardian to take over your money and health care issues at a considerable cost and could be in conflict to the wishes of you and your family. Sometimes even strangers—doctors, medical institutions and health care advisors will impose their decision on your health and wealth.

Some problems to avoid:

1) A Power of Attorney appoints an individual as the person to spend your money, make financial decisions, buy and sell investments and property, cash checks and handle taxes. But this document becomes void when you become incapacitated. A better solution is a “Durable Power of Attorney”

2) Many Power of Attorneys are master prototype document and do not take into account specific individual needs or wishes. A solution is to have a document that clearly defines your wishes.

3) Many Power of Attorneys do not plan for long-term care. Make sure you have your document give the individual power to purchase long term care, and the authority to give away assets or place them in a trust so you can be eligible for government programs.

4) Your wishes listed in health care proxies are usually too vague. When it is not specified—decisions regarding your medical care, custodial care, and end of life planning needs may not reflect the quality of your life you wanted them to be. A durable power of attorney and living will are much more solid.

5) Your health care surrogate misinterprets or disregards your wishes. You should have another person or elder care attorney involved during this period of time and maybe listed as co or joint to review the situation during the time of implementation and throughout your care.

South Florida Hospital News and Healthcare Report's number one goal is top quality healthcare journalism written and edited for the region's most successful, powerful healthcare business executives and professionals.

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