

CORONAVIRUS



WEALTH PLANNING > ESTATE PLANNING

Eight Steps for Updating Health Care Documents

As grim as it might seem, the coronavirus pandemic should remind clients to have these health care documents in order.

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With cases of the coronavirus on the rise in the United States, it's important for clients to be prepared, especially when it comes to their health care documents. These include a living will, health care proxy, HIPAA release and Do Not Resuscitate (DNR). A living will is a statement of your client's health care wishes, a health care

proxy appoints an agent to make health care decisions; a HIPAA release authorizes a named individual to communicate with your client's medical providers and see his medical records; a DNR is a document providing that your client doesn't want heroic end of life measures.

Here are 8 steps you should tell your clients to take:

Disclaimer: We do not provide legal advice so you must rely on your own attorney to guide you. Be mindful laws on signing documents and other matters vary dramatically from state to state and are changing rapidly.

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Eight Steps for Updating Health Care Documents

1.

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2. Step 1: Locate Documents

Locate all of the above health care documents if you have them...probably the hardest task!

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3. Step 2: If Missing, Get Them Drafted

If you're missing or don't have the fully executed copy of one or more of these documents, get them drafted as soon as possible.



4. Step 3: Read and Reread

Read and reread to confirm that all of your documents still meet with your wishes and address the current coronavirus environment.

- The “age” of your documents alone can be important. Medical professionals may be less willing to accept very old documents as they may be viewed as stale. Apart from that, old documents often name individuals that can no longer serve as agents and often reflect wishes that may have changed.
- Be certain that the content of your documents meets your personal wishes.

- Would you still select the person(s) named, or do you need to make a change due to age/health/proximity to you?
- Do you have a backup/successor agent named?
- Does your document need to be modified for the COVID-19 circumstances? A blanket prohibition against intubation may prevent you from receiving the care you need to survive. Change it if appropriate. Your agent should be expressly authorized to communicate decisions via Skype, FaceTime, email and other electronic means, and the medical provides should be held harmless for acting on decisions communicated in that manner. Few health care documents expressly permit this and with the contagious nature of COVID-19 your agent may have no choice but to communicate electronically.



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5. Step 4: Prepare New Documents if Needed

Modify or execute new documents if necessary. Consider new rules that many states are enacting to permit remote or electronic witnessing and notarization.



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6. Step 5: Discuss with Others

Discuss your wishes with your family and named agents, as well as your primary physician if you can. Be open and share examples. www.mydirective.com can help.

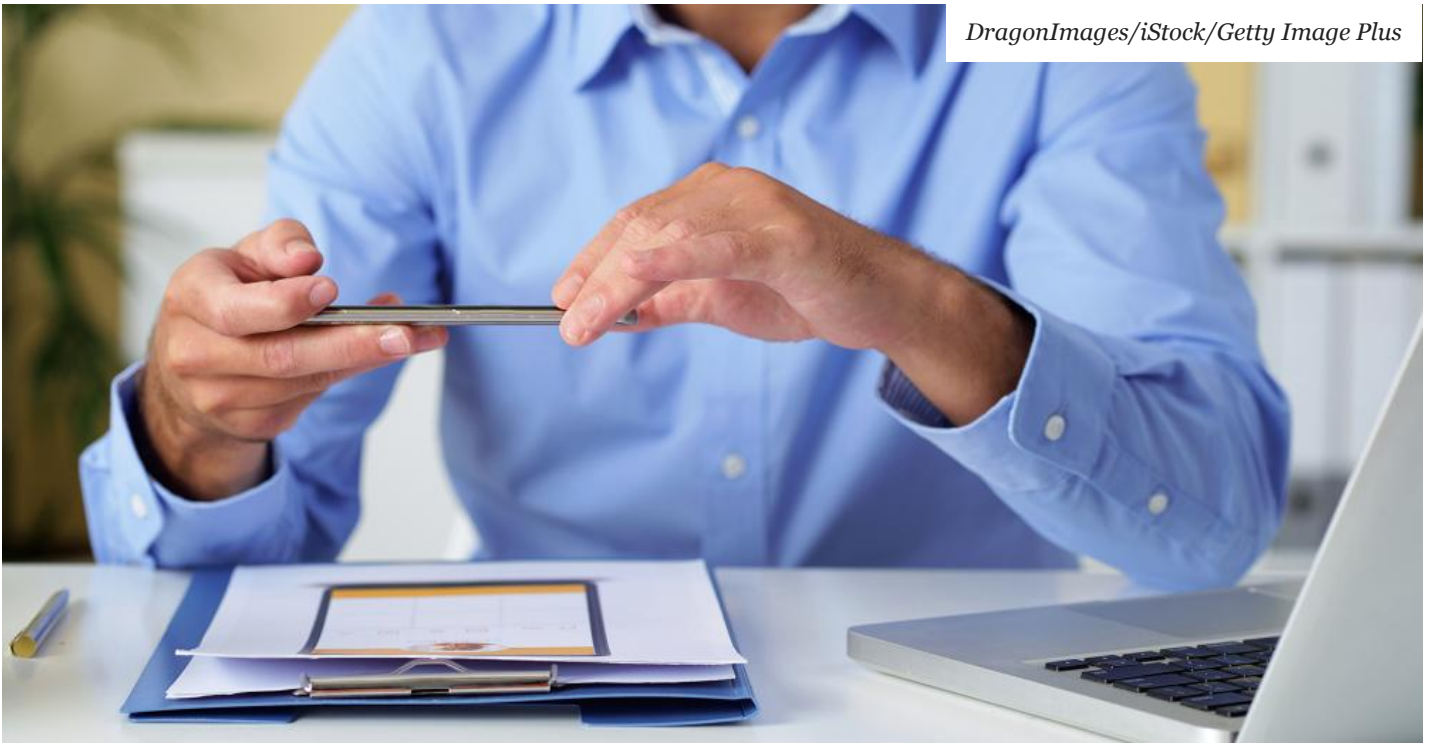


7. Step 6: Create a Grab and Go Package

Place an original or copy of the documents in an envelope and place it in a “Grab ‘n Go” place ... likely near most used exit of your home.

Also include in the envelope a list of all prescriptions, supplements and dosage of each and an indication of known allergies. If possible, list of any medicine taken (including over the counter) for the virus. And, insert a copy of your insurance card. This could speed the hospital admission process.

On the front of the envelope write: (1) your full legal name, address and age/date of birth; (2) in case of emergency designee (the individual to contact in case you're not with that individual at the time you go to the doctor or hospital); and (3) name and phone number of your primary physician.



8. Step 7: Give Agent Copy of Documents

Provide a scanned copy of all documents, including a photo/scan of the outside of your “Grab ‘n Go” envelope to your named agent/agents/trusted friend/family member. Keep a copy of scanned documents or save the email you sent with attachments! If you don’t have a scanner but have an iPhone, click on the icon that looks like a pad of paper called “Notes” then create a new document (bottom right) then click on the camera icon and up will come an option to “scan.” This will create a PDF instead of a photo, which is much better than just a photo when transmitting documents. You also can get a free app for your phone to convert phone photos into PDFs to save.



9. Step 8: Repeat for Family Members

Repeat the above for any family member of legal age...young and old! Yes, even your adult children need documents if they're over majority age in your state! You won't be able to sign for them.

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