



ADVANCE DIRECTIVES and POWERS OF ATTORNEY

- Durable Power of Attorney for Finances. A Durable Power of Attorney is a document that is used to avoid guardianship. It is a document by which you authorize another person to act on your behalf. The person you designate (the “attorney-in-fact”) can sign your name, manage your assets and pay your debts. The attorney-in-fact you name must be trustworthy or you can lose your property.

Three popular forms for drafting a power of attorney are: 1) effective immediately for all purposes; 2) effective only after two (2) doctors attach letters of incapacity; and 3) limited time and/or authority

- Living Will Declaration. A Living Will Declaration provides a statement of your intent that you will not be kept alive by artificial means. Ohio has an approved form for use for Ohio residents. Without this form, you will be on life support for twelve (12) months before a guardian may request removal.
- Health Care Power of Attorney. A Health Care Power of Attorney authorizes your named “health care agent” to make all health care decisions on your behalf, in the event you become unable to make those decisions yourself. The health care agent is given the authority to refuse or withdraw life-sustaining treatment and nutrition or hydration if you are in a terminal condition and two (2) doctors confirm that there is not hope for recovery. However, if you are in a permanently unconscious state, nutrition and hydration would be withheld or withdrawn only if you specifically authorized your health care agent to do so by marking a specific paragraph which appears in the document.
- HIPAA Release Form. Ohio requires a specific Release form to authorize your designated agent (generally same person you name in the Health Care Power of Attorney) to have access to your medical records. It is a separate form.
- Funeral Directive. Ohio has a specific form designating the person or persons who have the authority to make your funeral arrangements. The form is important if you wish someone other than a spouse or immediate family member to handle the arrangements.

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