

IN SICKNESS AND IN HEALTHCARE...

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As I write this article, I have just shared in the first wedding anniversary celebration with my brother and sister-in-law and Valentines Day is just a few days past. Two very important days to remember for any married couple. These celebrations offer a time to pause and reflect on the vows that were taken during the wedding. To love and to cherish, to care and to comfort, to honor each other ...till death we do part.

It has been 25 years since I stood before my family and friends and made that promise to my wife, Kris. When I stop and think about them, this is a huge promise I made to her and she made to me, especially "in times of sickness". During the times when our loved ones cannot care for themselves, we made a promise to take on that responsibility.

I met with a family this past week who need to care for their loved one during one of these times of sickness. The sickness is dementia and it is quite advanced. Because she cannot make any decisions on her own presently, someone will need to make those financial and medical decisions for her. We have hit one major stumbling block. She never prepared a written plan for her care. She had not prepared any estate planning documents, her financial power of attorney or her health care power of attorney/living will. The result is the need for probate court to appoint someone to make these decisions now and "until death does she part." This choice brings with it all the costs and long delays of court proceedings.

Caring for a loved one during period of illness requires some basic estate planning documents. A power of attorney will allow the agent to manage their financial affairs. This document provides authorization for a range of activities from paying care and living expenses to maximizing their life savings. It provides the ability to make care decisions for that loved one.

A health care power of attorney will allow the agent to make health care decisions and authorized designated persons to have access to important medical information in making these decisions. We live in a period where medical privacy continues to grow. I can no longer call and speak directly to my wife's doctors and care providers without written authorization.

Remembering the vow of care each of us made "in sickness and in health" to our loved ones should motivate us to take a moment and speak to an attorney to prepare these documents or review the ones we have. Have them reviewed to make sure the full range of decisions can be made to assure the highest quality of life can be maintained in both sickness and in health.