

Healthcare Power of Attorney

A Healthcare Power of Attorney (Healthcare POA) is a legal tool. You can let someone make medical choices for you if you are unable. That person, called an Agent, only makes choices for you if you cannot make your own. Your Healthcare POA will tell your Agent what kind of medical care you want. A **Living Will** can tell your Agent about the end-of-life care you would like. A Living Will can be used with a Healthcare POA. Like a Healthcare POA, a Living Will is only used if you cannot make your own choices.

Why Have a Healthcare POA?

A Healthcare POA makes sure that your wishes about medical care are honored. Your choices are followed even if you cannot tell the doctors yourself. Having a Healthcare POA makes sure that someone you trust will make medical choices for you if you are unable. They only make choices for you if you are unable.

What Kind of Choices Can My Agent Make?

Your Agent can make many kinds of choices. These may include:

- checking you in or out of a hospital or nursing home
- what medicine or treatments you get
- who has access to your medical records

Your Agent will only be able to make these choices for you if you are unable. They must follow your wishes when doing so.

Who Can Be My Agent?

Your Agent can be anyone over 18 years old. They cannot be your doctor or healthcare provider. They can be your family member, friend, or any other trusted adult. You can choose more than one Agent if you want. Two Agents can act as co-Agents. Co-Agents mean they work as equals. They could also act as successive Agents. This means that the second person will serve if the first cannot. It would help if you talked to your Agent(s) about your care choices. You should also make sure that they will make choices for you even if it may be hard.

How to Create a Healthcare POA

Because this is a legal document, there are a few rules for creating a Healthcare POA. Your Healthcare Power of Attorney must be written and signed by you. You have to create it while you are still well enough to make healthcare choices. Two witnesses must watch you sign the document. It must also be notarized. A witness is an adult who sees you sign it. They could be your friend, your neighbor, or even a stranger.

Getting it Notarized

You may find a notary near you in North Carolina through the Secretary of State website (see Resources, below).

It would help if you talked with those close to you about the care you want. Your doctor or healthcare provider can answer medical questions. If you have questions about the law, you should talk to a lawyer. Once your Healthcare POA is complete, you may want to give a copy of the document to your Agent. You also may want to give a copy to your doctors and anyone else you trust.

Resources

NC Healthcare POA Form and How-To Guide (<https://eforms.com/power-of-attorney/nc/north-carolina-health-care-power-of-attorney/>)

You may find a notary near you in North Carolina through the Secretary of State website (https://www.sosnc.gov/online_services/notary/find_a_notary). They usually charge a small fee (less than \$10).

Getting Started with Healthcare Power of Attorney

Step 1. Choose who you would like to be your Agent(s) and talk to them.

Step 2. Fill out the NC Healthcare POA form (see Resources, above).

Step 3. Find a Notary. You can find a Notary at your bank, UPS Stores, public libraries, real estate agencies, law firms, or at the NC Secretary of State website (see Resources, above).

Step 4. Sign the document in front of two witnesses plus the notary.

Step 5. Give a copy of your signed, notarized document to your Agent(s) and your healthcare provider.