

# All in the Planning

Fall 2020

Quarterly newsletter  
prepared and  
distributed by:

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ESTATE & ELDER LAW

## Pandemic Lessons Regarding Health Advocates

Autumn is in full swing, and most of us are certainly wishing an end to 2020! Whether you have had health issues yourself, have assisted a loved one with their health care needs, or are now simply more aware of the fact that you may someday need to rely upon another to make medical decisions, the pandemic reminds us of the importance of advanced health care planning.

All competent adults aged 18 and over should have an Advance Health Care Directive (referred to as a Health Care Proxy or Durable Power of Attorney for Health Care in other nearby states). Should you lack the ability to effectively communicate with your health care professional at anytime, this document specifies who can speak on your behalf and make health decisions. There are many free versions of sample documents on the Department of Health's website, and estate

planning attorneys also have versions they may create for clients. If you do one on your own, be careful to follow the directions and obtain 2 qualified witnesses. You should then be sure to distribute one to your doctor, your named agent, and to the Registry that Vermont offers at no charge to residents (info also on state website).

In addition, you should consider signing a HIPAA Release so that trusted loved ones can help you with medical appointments and access your medical information. HIPAA is the privacy law that restricts medical providers from releasing your information without your consent. Even if you have capacity to make treatment decisions, you may want help from a loved one—to make your appointments, advocate for your care, assist with medical insurance and billing, and receive test results. As with the Advance Directive, copies of a Release



should be distributed to the named "helpers," the doctors, and the Registry.



## Fighting Pandemic Blues

Many of us are suffering from pandemic fatigue—at home, in the workplace, and in the community. Are you taking time for your mental health? And are you finding creative ways to safely connect with family, co-workers, and friends? Because our office maintains a hybrid model of remote and in-office scheduling, our entire team is never in the office at the same time. While we have enjoyed some outdoor lunches at the park, our most recent outing involved a local corn maze. We all made it out!

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