



Protect Your Adult Child

The Three Legal Documents Your High School Graduate Needs: What Every Parent Must Know.

An 18th birthday, high school graduation, leaving for college - all milestones celebrated by parents and children alike that can signal an entry into adulthood. But few parents take the time to realize what it means legally to have their child become an adult. Learn how to protect your adult child before it is too late.

From a practical matter, becoming an adult does not happen overnight. For many families children rely on their parents for support and guidance long after the law deems the child an adult. As a legal adult, federal privacy laws can prevent you, the parent, from receiving information about your child or being able to act when he or she needs you.

Worst case scenario this means you could find yourself a helpless bystander if your daughter is injured in a serious accident. You may be unable to access information about her condition and you will be unable to make decisions about her care. You may find yourself in a costly court proceeding for guardianship just to get the legal authority to care for your child. A more common situation may be the red tape you will encounter when your son asks for your help in getting immunization records sent to college before classes start or for you to handle some of his banking.

You don't stop being a parent the day your child becomes an adult. But if your (now an adult) child does not have a **Health Care Directive, HIPAA Authorization, and Financial Power of Attorney** in place, you could be prevented from doing what comes naturally - taking care of your child when he or she needs you the most. That is why it is so important for every adult (age 18 and up) to have these 3 legal documents.

In addition to these three legal documents, all young adults should carry **ICE** (In Case of Emergency) information at all times. ICE information includes identification, emergency contacts, health insurance information, and any known medical conditions or allergies. ICE information can be contained on a handwritten card carried in a wallet, a LegalVault emergency access card or DocuBank ICE membership card (which will provide ICE information, access to Health Care Directives, and alerts to parents if the information is retrieved by medical information), or stored on many different cell phone apps.

1. **Health Care Directive.** A Health Care Directive allows individuals to appoint someone they trust as a Health Care Agent to make decisions on their behalf should an accident or serious illness prevent them from speaking for themselves. The individual can also provide instructions for the type of medical care they would want. A Health Care Directive can be invaluable in a medical crisis - providing authority and direction for loved ones and care providers. A Health Care Directive may eliminate the need for a court guardianship proceeding if the individual becomes incapacitated or is left in a vegetative state. All adults can benefit from a Health Care Directive. Young adults should complete a Health Care Directive, ideally naming their parents as agents, shortly after their 18th birthday.
2. **HIPAA Authorization.** Federal privacy laws (specifically HIPAA) strictly controls the release of medical information without a signed release from the patient. Once your child turns 18, he or she will be treated as an adult when it comes to privacy laws. Without the proper authorization, you could find yourself left out if your child winds up in the emergency room. Medical personnel may not be able to provide you information on your child's condition or treatment options. A previously signed HIPAA release can provide you the immediate ability to communicate with your child's doctors and insurance providers (and more importantly the authority for them to talk to you!).
3. **Financial Power of Attorney.** With a Power of Attorney an individual can appoint a trusted person to act as their "attorney-in-fact" and handle financial matters in their place. A Power of Attorney can provide authority to access bank accounts, pay bills, and apply for social security or government benefits. Having a power of attorney may eliminate the need for a court conservator proceeding.

Conclusion

At Lewis Kannegieter Law, Ltd., we understand how important it is to be legally prepared. We offer a variety of *Parents' Peace of Mind Planning Packages* to protect your child and give you peace of mind. Before your baby heads off into the world, make sure they get these three critically important documents in place. It doesn't take much time. And it doesn't take a lot of money. But it could make a world of difference. It is the peace of mind you (and your child) deserve. Call us today to schedule your *Peace of Mind Strategy Session*.