



Checklist

# Emergency Documents

## With Special Tips for Best Uses

### Penbay Estate Planning Law Center

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**What?** Durable Power of Attorney (POA). **Why?** Someone you trust to make legal and financial decisions if you are alive but incapacitated.

**Special Tip**💡: Does your POA have Mainecare Planning Provisions?

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**What?** Advance Health Care Directive **Why?** If you cannot make your wishes known, someone to accept or refuse medical treatment on your behalf. **Special Tip**💡: You can give instructions about POLST (Physicians Orders on Life Sustaining Treatment), DNR (Do Not Resuscitate) & Living Arrangements.

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**What?** HIPAA form **Why?** Someone may have to talk to your medical providers to carry out your instructions. **Special Tip**💡: Does your HIPAA provide emergency contacts? Can it travel with you?

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**What?** Emergency Health Documents **Why?** These are a package of documents that need to speak for you in an emergency. They allow your pre-chosen trusted people to protect you during a period of vulnerability. **Special Tip**💡: if done right, these documents can follow you wherever you are, and be accessed by an ER Doctor or Hospital, even if you cannot speak for yourself.

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**What?** Trust. **Why?** Think "Last Will" but better. Trusts provide instructions about your property and appoints your trusted people to handle your affairs if you are mentally or physically incapacitated. But there is no delay or expense of Court proceedings. Also, your instructions remain private. **Special Tip**💡: Does your trust provide asset protection for your spouse & kids?





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- ☐ **What:** Guardian Nomination. **Why?** If you have minor children. **Special Tip** 💡: You can split the responsibility between more than one person. Purse strings may be different from nurture and support person. Also, your Trust may provide asset protection in tandem with your Guardian(s).
  
- ☐ **What:** Short-term Guardian Nomination form **Why?** You might temporarily be unable to care for your kids. If something happened to you and the Guardians you identified were not readily available or near the children. This helps ensure your kids are not taken out of their home by Child Protective Services and put in foster care.
  
- ☐ **What?** Retirement Accounts & Investments. **Why?** Sometimes we have a beneficiary designation we made years ago, that we forgot to change. **Special Tip** 💡: Is your Trust the owner? Is your Trust the beneficiary? Check online (if possible) or call your company to find out who your beneficiaries are on your accounts and make sure it matches what your intentions are.
  
- ☐ **What?** Life Insurance. **Why?** Sometimes we have a beneficiary designation we made years ago, that we forgot to change. **Special Tip** 💡: Is your Trust the owner? Is your Trust the beneficiary? Check online (if possible) or call your company to find out who your beneficiaries are on your accounts and make sure it matches what your intentions are.
  
- ☐ **What?** Bank Accounts. **Why?** Other signers and Pay on Death Beneficiary on your accounts may not be the right people. **Special Tip** 💡: Is your Trust the owner? Is your Trust the beneficiary? Trusts provide specific instructions, trusted substitutes for you and your spouse, and can provide asset protection.



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**What? Organization. Why?** If an unexpected emergency arises, your trusted helpers need to be able to find your account information, online accounts, emergency contacts, Advanced Directive, HIPAA & POA.

**Remember, time could be of the essence.  
Sometimes the difference between success and failure is the  
time it takes.**

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*My documents are complete and easy to find*

☐

*My Emergency Healthcare documents can follow me and speak  
even when I can't*



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