

## Power of Attorney (POA)

1. A POA is a legal document that allows the participant to identify another individual to make decisions on their behalf, should the participant become unable to make decisions for themselves.
  - a. Participants set up POA's **BEFORE** they lose the ability to make decisions for themselves
    - i. Once a participant is no longer able to make decisions for themselves, the POA can be enacted.
  - b. If a participant is no longer cognitively intact and someone is needed to make decisions for the participant, then Legal Guardianship should be pursued, as the participant would no longer be able to choose their POA at this point.
2. Without a copy of the complete POA uploaded into FP, we are not able to talk to anyone that identifies themselves as the POA for the participant about any of the participants PHI.
  - a. There is **NO** exception to this rule
3. There are different types of POA's, do **NOT** assume that the POA you receive allows us to talk with the POA about all of the participant's PHI.
  - a. Financial, handles financial matters for the participant, but would not be someone that could make decisions about the participants care and we would not be able to speak with them about any PHI of the participants.
  - b. Medical, handles medical decision making for the participant and once we have the POA documents uploaded into FP, then we would be able to speak with them about the participant's PHI.
    - i. Short term POA, these are often put into place when a participant is having a medical procedure done. This allows the participant to specify who they would like making medical decisions for them, **ONLY** related to if the participant is no longer able to make decisions for themselves regarding this procedure. There is a start and end date to this POA.
      1. We would not be able to use this document to talk to the individual identified as the POA, other than related to the medical procedure and during the start and end time of this POA.
  - c. Reach out to your Supervisor if you need clarification on what information the POA for your participant allows you to share.