

4 Legal Documents Your 18-Year-Old Might Want to Have

Encourage your teen to sign these forms in case of emergency

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Money
(November 24, 2015)



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If you're the parent of an 18-year-old heading to college, a gap year program or even a job across town, you're probably thinking more about helping him plan for his future than a medical emergency. But have you considered what happens if Junior lands in the hospital after a bad ski accident or a serious illness?

Your fledgling adult is legally in charge of his own life now, and health care providers are no longer authorized to discuss his medical condition with you. That means if you call the hospital, medical providers may refuse to disclose details unless your child has certain documentation in place. Nor are you entitled to make medical decisions on his behalf unless he has paperwork that says you can.

Before your teen leaves home, it pays to discuss a few legal matters. Here are four legal documents your teen may want to sign in case of emergency. Each state's laws vary, so read up on yours.

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Medical power of attorney or health proxy. This document gives you authority to make medical decisions on your child's behalf in the event she's unable to. "For example, your child has been in a car accident and she's unconscious," says Elizabeth Pagel, a Texas-based family law attorney. "Her leg has been shattered, and there's a decision to repair or amputate the leg." Unless you've been designated her health care proxy, you can't make the decision for her.

If your child is attending college out of state, consider consulting an attorney about whether you need a health care proxy for both your home state and the state where the child attends college. You can also find [free forms online by state](#).

HIPAA release. This form, named for the Health Insurance Portability and Accountability Act, allows health care providers to [release and share](#) medical information with designated people (here's a [sample](#)). Without a HIPAA form, doctors may choose not discuss your child's condition with you, although they may decide to if they think it's in [your child's best interest](#). Providers' disclosure rules vary, so it's best to have it in writing.

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Advance care directive, aka living will. Young people should have one of these as well, Pagel says. Accidents do happen; car crashes are the leading cause of death for U.S. teens. An advance care directive outlines a person's wishes about life-extending medical treatment, as well as other intentions, such as organ donations. "This form is especially helpful in the event parents have different ideas about how to handle a scenario like a terrible car accident." Pagel says. "This kind of situation can destroy a family."

Durable power of attorney. Among other things, this form grants parents the authority to sign documents for their child, which is particularly helpful if [students go abroad for a semester](#). You're also entitled to handle benign tasks such as renewing the child's car registration while they're at college out of state, managing financial accounts held in their name or [filing a tax return](#) on their behalf.

Protecting a teen's privacy

As you discuss the benefits of being able to help your son or daughter out of a jam, keep in mind they have a right to privacy. Pagel recommends families aim for a good working relationship so young people feel comfortable calling on parents in times of need.

Young adults (and their parents) should understand that legal documents can be as broad or as narrow as they wish and can be revoked at any time, and parents must honor the young adult's wishes. Even if your son or daughter wants you as an advocate in an emergency, they likely won't want you to have access to all their health care records. "When a young person fills out a HIPAA release form, he can authorize specific information to specific people, and that's the only information a doctor can release," Pagel says.

For teens hovering on the border between child and full-fledged, independent adult, a few well-laid plans can make all the difference when it comes to an emergency. And granting a parent durable power of attorney can come in darned handy when facing logistical challenges posed by being miles from what is still, for a while, "home."

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