

What you should know about...

LASTING POWER OF ATTORNEY (LPA) - Health and Welfare

What is a Health and Welfare Lasting Power of Attorney?

A Lasting Power of Attorney (LPA) for your Health and Welfare enables you to decide, in advance, whom you would like to manage these issues in the event of a loss of mental capacity. The person or people you appoint are known as Health and Welfare Attorneys and they can act in most situations as if they were you, and in your best interests.

What happens without this type of Lasting Power of Attorney?

If you have lost your mental capacity, decisions can be made about your health and welfare by the Authorities. Your family, if any, will have little or no say in the matter, nor will any trusted friend that you may have wanted to act for you.

Who might need an LPA?

Most of us will be fortunate enough to live long lives, but we may not always be able to manage our own health and welfare. If you were to suffer significant physical or mental incapacity an LPA could make your life much easier and less stressful for you and others, as well as protecting your interests.

How do I make an LPA?

The LPA is an official form that must be completed and signed by the Donor and Attorneys in the presence of a witness. It also needs to be certified and must be registered with the Office of the Public Guardian (OPG) before it can be used.

Will You can handle the process simply and swiftly on your behalf.

What can my Attorney do?

Your attorney can decide where you live, organise your day-to-day care, including arrangements for medical, eye, or dental care. They can make complaints on your behalf about your care or treatment. They can make decisions about your leisure and activities.

Importantly, you can opt whether or not to give your attorney or attorneys power to make decisions about life sustaining treatment for you. NB. This may change any Advance Decision (Living Will) you have made on this topic.

LASTING POWERS OF ATTORNEY (LPA) for your Health and Welfare

Can I keep control of my affairs?

Even when your LPA has been registered you still have control over your own destiny if you have your mental capacity and if you still want to have control.

What if I want to cancel the LPA?

Provided you are still mentally capable you can revoke the LPA. However, once the LPA is registered with the Office of the Public Guardian you would need medical evidence and the Court's permission to revoke the LPA.

What happens when I die?

When you die the LPA is no longer valid and the powers of your Attorney will end.

Can Attorneys charge for their services?

Professional Attorneys are entitled to charge for their work. If you appoint a friend or family member as Attorney then they may claim reasonable out-of-pocket expenses, or you can decide to remunerate them, if appropriate.

Who can advise an Attorney about the role?

Will You is happy to offer advice to an Attorney about their role. Detailed advice and guidance is also available from the Office of the Public Guardian.

For more information or to arrange a visit:

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