FINANCE Q&A's



LPA for Health & Welfare (old age)

Appointing a Lasting Power of Attorney (LPA) ensures someone you trust can legally make decisions on your behalf when you are unable to do so. Here, Lakeside Compliance Director *Nathan Hibbert*, specifically explains the benefits of having an LPA for Health & Welfare in old age.

What is an LPA for Health & Welfare, and what does it cover in old age?

N: Appointing an attorney means giving someone the legal power to make decisions on your behalf if you later become unable to make decisions for yourself.

A Health & Welfare LPA deals with health and personal care decisions, and so in old age, this would cover things like your medical treatment, the type of care you receive and where you receive that care. It would also cover your daily routine such as washing, dressing, eating and who you should have contact with/what social activities you can do.

In what circumstances would this be required?

N: An LPA is required to make decisions if you lack the capacity to do so yourself. In old age, this is usually the result of an illness, such as dementia. Having an LPA in place before losing mental capacity means you can record your wishes in advance, giving you more control of your future care.

What are the common misconceptions of LPAs?

N: When appointing a health and welfare attorney, you aren't directing someone to do something. Instead, you are appointing them to look after your best interests. To do so, they may consider things like past wishes you've expressed, any cultural or religious beliefs and views of those closest to you, such as relatives and carers.

If you did want your attorney also to be able to make decisions about life-sustaining treatments, you would need to do this via an Advanced Decision, also known as a Living Will.

Many people are also of the misconception that if they were unable to make a decision in old age about their care then a relative could automatically do so instead. Although said relation might be consulted when a decision is made, they have no legal right to make these decisions unless you've made an LPA for Health & Welfare.



How should you choose an LPA for Health & Welfare?

N: An attorney can be anyone aged over 18, such as a relative or friend. The most important consideration is that you trust them to make decisions in your best interest and so will be respectful of your wishes and values. It's a big responsibility, and they may have to make some difficult decisions at times, so you will also need to think if they would be comfortable in that position.

You can have more than one attorney; we would usually recommend two so that if one were unavailable or died, there would still be someone able to make decisions on your behalf.

Please feel free to contact us for further information: *admin@lakesidefs.co.uk*

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