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STUDENT HEALTH CARE PROXY

Your child has turned 18 and has gone off to college. Your child is now a legal adult and living on their own, but you are still paying the tuition bills, they are still covered under your health insurance plan, and they are still listed as a dependent on your tax return. What happens if you get the dreaded phone call from your child's roommate or university counselor that your child has had an accident or incident and is in the hospital? Of course, you immediately get on the phone with the hospital or the university, but you then find out they will not disclose any medical information to you because you have not been authorized as your child's health care agent or proxy. You see, once a child reaches the age of 18, he or she is entitled to medical record and financial privacy, and doctors, health care providers, university infirmaries, hospitals and even your insurance carrier cannot share information without permission because of regulations under HIPAA (Health Insurance Portability and Accountability Act). If a young adult is in an accident and becomes disabled, even temporarily, a parent might even need Court approval to act on his or her behalf.

To avoid this situation, if your child is 18 years of age or older, he or she should execute a Health Care Proxy. This document should be part of your college preparation checklist.

Once your child executes a health care proxy and appoints an agent, presumably the child's parent or parents, that agent is allowed to receive from and discuss medical information with health care providers, and make informed medical decisions with and for their child. Also, if the child is incapacitated, the appointed health care agent will have the final say in which direction to take regarding the child's medical care and treatment, even if the agent is hundreds of miles away.

By signing a student Health Care Proxy, your college bound young adult will be able to embark on their college years with greater peace and security, and you will be assured that you have done all you can to assist them.

Please contact us to discuss the preparation and execution of a student Health Care Proxy.