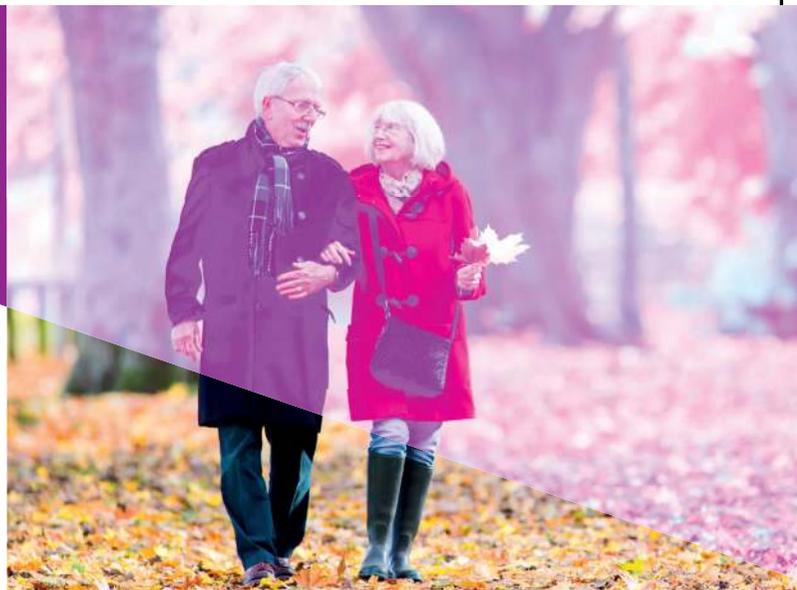


LASTING POWER OF ATTORNEY FOR HEALTH AND WELFARE AND CARE DECISIONS



Any care or treatment a person receives must be consented to. Consent must be given by you voluntarily; without pressure or duress and you must have capacity to give such consent.

If you are deemed not to have capacity to make a decision about your health, welfare, care or treatment, the health care professionals (not your family members) have the responsibility to make the decision on your behalf in your best interests. In reaching that best interest decision they are under a duty to consult with the people closest to you and ascertain their views and opinions and your past wishes and feelings. However it does not always follow that what your loved ones think is best for you is the same as what the health care professionals think.

You have the ability to make a Health and Welfare Lasting Power of Attorney to choose the people who know you the best and whom you trust to make those best interest decisions on your behalf.

If, and only if, you lose mental capacity a Health and Welfare Lasting Power of Attorney will give your Attorneys the ability to make decisions about:

- Where you should live and who you should live with;
- Your day to day care, including diet and dress;
- Who you may have contact with;
- Consenting to or refusing medical examinations and treatment, including drug therapies;
- Arrangements needed for you to be given physiotherapy or speech therapy;
- Assessments for and provision of community care services;
- Whether you should take part in social activities, leisure activities, educational training;
- Your personal correspondence and papers including access to medical records;

- Complaints about your care and treatment;
- Enabling access to information for claims in your name such as challenges to continuing health care funding or personal injury claims.

A Health and Welfare Lasting Power of Attorney can be particularly important in making sure your wishes are carried out in the following circumstances:

- If you have family members who don't get on with each other or they disagree about your care needs;
- If you have a long term partner but are not married but want them to be able to make decisions about your health and welfare;
- You have no close family members;
- Your care needs are complex;
- If you have periods of temporary incapacity;
- If you have physical medical conditions where you Attorneys would need access to medical records;
- You have particularly strong views as to the type or nature of your care;
- If you want to give someone authority to make decisions about life sustaining treatment but do not have an advance medical decision (otherwise known as a Living Will);
- You need help bringing legal action for medical negligence, personal injury, or a challenge for care home fee funding which require access to your health care records;

If you made an Enduring Power of Attorney prior to 1st October 2007 or an LPA for Property and Financial Affairs this only covers your financial decisions and will not give your attorneys the power to make decisions on your Health and Welfare.



wilson browne SOLICITORS