



STONEBAY
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SENIOR LIVING

HOW TO GET POWER OF ATTORNEY FOR ELDERLY PARENTS

If a senior you love is living with Alzheimer's disease or a similar form of dementia, you might find yourself without the legal authority to access the health and financial information necessary to assist them. In most cases, a power of attorney will be required.

The best approach to obtaining a power of attorney (POA) for a senior loved one is before you actually need it. It is when your elderly parent is still healthy and able to make their own decisions. They can hire an attorney to create this document that outlines their wishes for future care and financial decisions.

Unfortunately, many families delay having difficult conversations about elder care issues. And then a crisis occurs. Adult children are left without the legal authority to pay bills or make decisions on their loved one's behalf. It can be even more complicated when the diagnosis is Alzheimer's disease.

Two Types of POA

While laws vary by state, there are typically two types of Power of Attorney (POA):

Health Care POA: This document identifies the person who is to make health care decisions on behalf of the principal.

Financial POA: The person designated as the financial POA will be authorized to make legal and financial decisions for the principal.

How do you obtain a power of attorney? Especially if a loved one is diagnosed with dementia? Here's what the experts have to say.

How to Get a Power of Attorney for Elderly Parents

Whether you can obtain a power of attorney for a senior loved one depends on their mental status. Legally, they must be "of sound mind" to grant a power of attorney. While this isn't a difficult standard for a healthy adult to meet, it can be tough for someone with dementia.

If your aging family member is considered mentally competent, a qualified attorney can work with your family to create these documents in very little time.

If your senior loved one's cognitive losses prevent them from meeting this standard, however, the alternative is usually to petition your local probate court to become their legal guardian or have a conservatorship granted. Unless it is a life-threatening situation, this process will take extra time.

Stonebay Senior Living Resource Center

If you are a family caregiver for a senior loved one, you might find the articles in our Stonebay Senior Living Blog to be helpful. We encourage you to spend time reviewing them and to call Stonebay Senior Living if you have any questions. We'll be happy to help answer them!