

Key Elements of a Michigan Medical Power of Attorney

- **Principal:** This is you, the person creating the document.
- **Patient Advocate:** This is the person you appoint to make healthcare decisions on your behalf when you are unable to do so yourself. You should choose someone you trust implicitly and who understands your values and wishes. You can also name one or more successor patient advocates in case your primary advocate is unable or unwilling to serve.
- **Effective Date:** The POA usually becomes effective when your attending physician and another physician or licensed psychologist determine that you are unable to participate in medical treatment decisions.
- **Scope of Authority:** This section outlines the specific powers you grant to your patient advocate. These powers can be broad or limited, and typically include the authority to:
 - Consent to, refuse, or withdraw medical treatment, including life-sustaining treatment.
 - Access your medical records and information.
 - Hire and fire healthcare providers.
 - Admit you to or discharge you from healthcare facilities.
 - Make decisions about mental healthcare treatment (you can specify whether this is included and any limitations).
- **Instructions and Preferences:** This is a crucial section where you can express your wishes and preferences regarding your medical care. This can include your values, beliefs about treatment, end-of-life care preferences, and any specific instructions you want your patient advocate to follow. While not legally binding in the same way as the appointed authority, these instructions provide important guidance to your advocate.
- **Mental Health Treatment (Optional):** You can specify whether your patient advocate has the authority to make decisions about your mental health treatment, including medication, hospitalization, and other interventions. You can also include specific preferences regarding mental health care.
- **Organ Donation (Optional):** You can indicate your wishes regarding organ donation.
- **Nomination of Guardian (Optional):** You can nominate a person to serve as your guardian if a court determines that one is needed.
- **Witness Requirements:** Michigan law requires that your Medical POA be signed in the presence of two adult witnesses who are not related to you, are not your patient advocate, are not entitled to

any part of your estate, and are not your healthcare providers or employees of your healthcare facility.

- **Acceptance by Patient Advocate:** Your named patient advocate(s) will typically need to sign a statement acknowledging their acceptance of the responsibilities.
- **Revocation:** You have the right to revoke your Medical POA at any time by clearly communicating your intention to do so.

Important Considerations:

- **Choosing Your Patient Advocate:** This is a critical decision. Talk to the person you are considering to ensure they are willing and able to take on this responsibility and that they understand your wishes.
- **Discussing Your Wishes:** Have open and honest conversations with your chosen patient advocate and your family about your healthcare preferences.
- **Completing the Document Carefully:** Ensure all sections are filled out clearly and accurately.
- **Witnessing and Notarization:** Follow the specific witnessing requirements under Michigan law. While notarization is not strictly required for validity, it can add an extra layer of legal security.
- **Storing and Distributing Copies:** Keep the original document in a safe and accessible place. Provide copies to your patient advocate(s), your primary physician, and any other relevant healthcare providers or family members.
- **Review and Update:** It's a good idea to review your Medical POA periodically, especially if there are significant changes in your life, health, or relationships, to ensure it still reflects your wishes.