

# FREQUENTLY ASKED QUESTIONS

## Medical Power of Attorney and HIPAA Waivers

### **Q: WHAT IS THE MEDICAL POWER OF ATTORNEY FORM USED FOR?**

A: It is a document, signed by a competent adult, i.e., “principal,” designating a person who the principal trusts to make health care decisions on the principal’s behalf should the principal be unable to make such decisions. The individual chosen to act on the principal’s behalf is referred to as an “agent.”

### **Q. DO I NEED TO FILL OUT THE MEDICAL POWER OF ATTORNEY FORM WITH MY STUDENT?**

A: Not necessarily. Generally, decisions about a person’s financial and medical management are made according to the laws of the state they live in. In the event of medical incapacitation, usually a family member will be called upon to make any important decisions in the absence of a power of attorney.

### **Q: DOES THE MEDICAL POWER OF ATTORNEY FORM NEED TO BE SIGNED BY A NOTARY?**

A: Either two witnesses must sign the medical power of attorney, or you may sign it and have your signature acknowledged before a notary public.

### **Q: DOES A PERSON NEED A LAWYER TO EXECUTE A MEDICAL POWER OF ATTORNEY?**

A: No, a lawyer is not necessary to execute a medical power of attorney.

### **Q: WILL STUDENT LEGAL SERVICES ASSIST WITH MEDICAL POWER OF ATTORNEY PAPERWORK DURING THE NSC?**

A: No. Student Legal Service will not assist with Medical Power of Attorney paper work for students or families during the NSC. The Medical Power of Attorney forms can be downloaded [from our website](#) and completed on your own with the signature of a witness.

### **Q: WHAT IS THE HIPAA RELEASE USED FOR?**

A: The HIPAA waiver allows medical professionals to release medical records and information to the parties designated on the release form. The waivers only apply to the specific medical event or record and do not grant all-encompassing access to all medical information.

### **Q. DO I NEED TO FILL OUT THE HIPAA WAIVER WITH MY STUDENT?**

A: If your student would like you to be able to request their records you can fill out this form together. We also encourage open communication between families and students about seeking medical care. Filling out this form does not mean you will be contacted by a medical facility if your student utilizes their services.

### **Q: DOES THE HIPAA WAIVER NEED TO BE SIGNED BY A NOTARY?**

A: Either two witnesses must sign the medical power of attorney, or you may sign it and have your signature acknowledged before a notary public.

### **Q: WILL STUDENT LEGAL SERVICES ASSIST WITH HIPAA WAIVER PAPERWORK DURING THE NSC?**

A: No. Student Legal Service will not assist with HIPAA Waiver paper work for students or families during the NSC. The HIPAA forms can be downloaded [from our website](#) and completed on your own with the signature of a witness.

### **Q: WHERE CAN I ACCESS THESE FORMS?**

A: The Medical Power of Attorney form can be found at [tx.ag/MPOA](http://tx.ag/MPOA), and the HIPAA Waiver can be accessed at [tx.ag/MRRF](http://tx.ag/MRRF).