

www.consumerreports.org/health-privacy/help-your-college-age-child-in-a-medical-emergency

A medical provider can choose to disclose protected health information to a family member, even without the patient's authorization, if, in her professional judgment, it serves the best interest of the patient. But providers often come down on the side of patient privacy, particularly if they have never met the family member.

Three forms—HIPAA authorization, medical power of attorney, and durable power of attorney—will help facilitate the involvement of a parent or other trusted adult in a medical emergency.

Once the forms are completed, it's a good idea to scan and save them so they're readily available on a smartphone or home computer.

HIPAA authorization: A signed HIPAA authorization is like a permission slip. It allows healthcare providers to disclose your health information to anyone you specify. A stand-alone HIPAA authorization (not incorporated into a broader legal document) doesn't have to be notarized or witnessed. This document alone, signed in advance by her son, would have sufficed for Warsh to get information from the hospital treating him. Young people who want parents to be involved in a medical emergency, but fear disclosure of sensitive information need not worry; HIPAA authorization doesn't have to be all-encompassing. Young adults can stipulate not to disclose information about sex, drugs, mental health, or other details they might want to keep private.

Medical power of attorney: In signing a medical POA, you appoint an “agent” to make medical decisions on your behalf in case you are incapacitated and can't make such decisions for yourself. Each state has different laws governing medical POAs and therefore different legal forms. In many states, HIPAA authorization is rolled into the standard medical POA form. Whether the medical POA requires the signature of a witness or notary varies by state.

Durable power of attorney: As an additional step, young adults might consider appointing a durable power of attorney, enabling a parent or other designated agent to take care of business on their behalf. If the student becomes incapacitated or if he or she is studying abroad, the durable power of attorney would be able to, for example, sign tax returns, access bank accounts, and pay bills. Durable POA forms vary by state. In some states the medical POA can be included in the durable POA form. “The durable power of attorney is sweeping,” Wolk says. “You do not want to give it to someone you do not trust.”