

Power of Attorney for Healthcare – Care Decree and Patient Decree

Have you arranged your care? It's never too early.

Finding yourself in a situation in which you are unable to make important decisions by yourself is something that can happen to any of us – due to an accident, an illness or old age, for example. It is therefore important to make the necessary arrangements for your personal care in good time. On this page, you can find information and tips on the options for making these arrangements with a power of attorney for healthcare, a care decree and a patient decree. All you need to do is click on the appropriate links.

Vorsorgevollmacht

Power of attorney for healthcare:

Arranging your care isn't a question of age. We can all find ourselves in a situation in which we are no longer make decisions by ourselves due to illness or accident. Taking your personal need for assistance into account, it is therefore advisable for you to authorise a person whom you trust to manage all or specific aspects of your personal care. Those who are granted power of attorney for healthcare may be family members, such as your spouse, partner, children or any other person of trust. The power of attorney for healthcare can also be granted to more than one person.

The granting of the power of attorney for healthcare allows for a high degree of self-determination. This enables the legal proceedings for a care order to be avoided.

The authenticity of the signature can be confirmed with a public attestation. This can be provided by the employees of the healthcare authority. The authenticity of the signature and the effectiveness of the power of attorney for healthcare can also be certified by a notary.

Some banking institutions do not accept a general power of attorney for healthcare. To stay on the safe side, it is therefore advisable to arrange an appointment at your bank together with your person of trust and arrange a separate power of attorney for your bank deposit and account.

A sample form for a power of attorney for healthcare as well as further information are available on the homepage of the German Federal Ministry of Justice:

(http://www.bmju.de/DE/Themen/VorsorgeUndPatientenrechte/Betreuungsrecht/Betreuungsrecht_node.html). The forms for the care decree and patient decree are also available there.

Power of attorney for healthcare form:

<https://www.bmju.de/SharedDocs/Downloads/DE/Service/Formulare/Vorsorgevollmacht.html?nn=6765634>

One last tip:

A power of attorney for healthcare isn't always readily available. If the power of attorney for healthcare has been registered in what is known as the *Vorsorgeregister* (Register of Power of Attorneys for Care), the Court of Protection can enquire as to whether a power of attorney is available and request the saved data. In this way, the issuing of a legal care order can be prevented. Registration is possible either by post or online. Further information is available on the homepage of the Register of Power of Attorneys for Care: (<http://www.vorsorgeregister.de/>).

Betreuungsverfügung

Care decree:

If you do not want to grant a power of attorney for healthcare, you can specify your wishes with a care decree. You can determine who should be responsible for your care in the event of future care proceedings and also exclude certain persons. With a care decree, you can also add specific guidelines, such as any needs or personal preferences that should be taken into account in the case of a legal care order. The Court of Protection is generally bound by the care decree and may only deviate from it only in justifiable circumstances.

Care decree form:

<https://www.bmjv.de/SharedDocs/Downloads/DE/Service/Formulare/Betreuungsverfuegung.html>

Patientenverfügung

Patient decree

Another building block for ensuring that your wishes are taken into account is a patient decree. With a patient decree, you can determine which medical treatments and medical interventions you would like if you are no longer able to make a decision yourself, and/or which measures should be avoided. A doctor decides whether the guidelines set out in the patient decree apply to the corresponding situation of the individual and the treatment situation. The patient decree is binding for doctors and nurses.

Patient decree form:

http://www.bmjv.de/DE/Themen/VorsorgeUndPatientenrechte/Betreuungsrecht/Betreuungsrecht_node.html

If you have any further questions about the topic of healthcare, the staff at the following organisations are able to assist you:

- Ahrweiler District Care Authority (***Betreuungsbehörde Kreisverwaltung Ahrweiler***), Wilhelmstr. 24-30, 53474 Bad Neuenahr-Ahrweiler, Tel.: 02641-975-556, -558 or -424, Email: betreuungsbehoerde@kreis-ahrweiler.de
- Care Association of the Protestant Parishes in the Rhine-Ahr-Region (***Betreuungsverein der Ev. Kirchengemeinden in der Rhein-Ahr-Region e. V.***), Peter-Jansen-Str. 20, 53474 Bad Neuenahr-Ahrweiler, Tel.: 02641-3283; Email: dw-ahrweiler@kirchenkreis-koblenz.de; www.betreuungsverein-ahrweiler.de
- SKFM Catholic Association for Social Assistance in the Ahrweiler District (***Betreuungsverein - SKFM - Katholischer Verein für soziale Dienste für den Landkreis Ahrweiler e. V.***), Ehlinger Str. 47, 53474 Bad Neuenahr-Ahrweiler; Tel.: 02641-201278; Email: info@skfm-ahrweiler.de; www.skfm-ahrweiler.de

These organisations can provide you with information and printed material on the topic of care.