

# Important Documents for your children over 18!

Without these documents, you may not be able to step in when your child needs you most. We encourage our families to get the following documents before heading off to school:

- a. **Durable Power of Attorney:** The Durable Power of Attorney will allow your child to authorize you to manage his financial affairs either immediately or in the future should he become mentally or physically unable to do so. This would authorize you to handle tasks such as paying bills, applying for social security or government benefits and opening and closing accounts if necessary.
- b. **Medical Power of Attorney:** The Medical Power of Attorney allows your child to authorize you to make medical decisions if he or she is incapacitated and unable to do so. An agent acting under a Medical Power of Attorney is authorized to see the principal's medical records to make informed medical decisions on his or her behalf.

<https://codes.findlaw.com/tx/health-and-safetv-code/health-safetv-sect-166-164.html>

- c. **HIPAA Release:** HIPAA (the Health Insurance Portability and Accountability Act of 1996) requires health care providers and insurance companies to protect the privacy of patient's health care information. This means that even parents may be prevented from accessing their children's medical information without an authorization. By signing a HIPAA release your child can authorize doctors to share diagnoses and treatment options with you.

[https://www.texasattorneygeneral.gov/files/agency/hb300\\_auth\\_form.pdf](https://www.texasattorneygeneral.gov/files/agency/hb300_auth_form.pdf)

- d. **FERPA Release:** Family Educational Rights and Privacy Act is a law protects the privacy of student education records. Under the law, education records are defined as records, files, documents, and other materials that contain information directly related to a student and are maintained by the educational institution or by a person acting on behalf of the institution. Virtually all colleges and universities are subject to FERPA. When the student begins to attend a post-secondary institution (college) regardless of age, all rights become the students. Even though the child may be under 18, FERPA would still apply. This means mom and dad could not get their own child's student records without having an executed FERPA release that authorizes the school to release information and records to the student's parents.

These documents are easy to prepare and are relatively inexpensive. If you have a child heading off to college this year, it is important that you discuss the importance of these documents with him or her.