

## **Power of Attorney For Healthcare Decisions: Family Member Cannot Consent To Arbitration.**

A power of attorney for healthcare decisions, unlike a general power of attorney, is only for giving consent to healthcare procedures on behalf of the patient after the patient is incapacitated.

Much like a living will, a power of attorney for healthcare decisions also allows the appointee to refuse consent and to withhold life-sustaining measures if that is what the patient would have wanted.

The Court of Appeals of Georgia ruled that the daughter named in a power of attorney for healthcare decisions had no legal authority to sign an arbitration agreement on her mother's behalf when she admitted her mother to a nursing home. The arbitration agreement is null and void. She can sue the nursing home in civil court. Life Care Centers v. Smith, \_\_ S.E. 2d \_\_, 2009 WL 1692040 (Ga. App., June 18, 2009).