



Insurance, Legal Issues and Advance Directives

Health Insurance

Most significant congenital heart conditions require lifelong monitoring and treatment by a cardiologist. That's why it's important to obtain and maintain adequate healthcare coverage with a policy that lets you see physicians with special knowledge of adults with congenital heart disease. In most cases, as you reach adulthood, you won't be able to obtain health insurance through your parents' policy.

Generally, the best way to get coverage is to get group health insurance through your employer. Most large companies will offer group health plans at reasonable rates, despite your heart condition. Seek plans that don't have pre-existing condition clauses that may exclude coverage for your heart disease. If your heart condition is relatively complex, be sure your plan allows you access to a cardiologist who's experienced in treating congenital heart disease in adults.

If group coverage isn't possible, you may need to get insurance through a "high-risk" pool. Unfortunately, this can be expensive.

If you're now covered under a group plan, such as your parents' policy or a policy through work, and your coverage is due to end, you need to know about a federal law known as the Consolidated Omnibus Budget Reconciliation Act (COBRA). This law lets you pay to continue your policy for up to 18 months after your standard coverage is over. To be eligible for COBRA, you must notify the appropriate person at your parents' or your employer about your wish to extend the policy. You must do this within 60 days of termination.

If you have health insurance through your employer, be very careful when changing jobs or policies. You may not be eligible for coverage under a new insurance plan or policy, based on specific exclusions, or there may be waiting periods before you can receive full benefits.

Life Insurance

Young adults with many congenital heart conditions can usually buy life insurance without difficulty, but the cost may be higher. Term life insurance, especially if bought through a group such as an employer, is often affordable and requires less medical information to enroll. Insurance companies vary a lot in how they consider congenital heart disease when offering life insurance. Compare information from different companies before drawing conclusions about your insurability. An insurance agent who doesn't work for just one company (i.e., an independent agent) may help you compare policies.

Even if you were denied a life insurance policy as a child, reapply as an adolescent or adult. Many insurance companies will consider applications from adolescents or adults once the severity of their heart condition is known with greater certainty.

Information from life insurance applications is centralized at the Medical Information Bureau, Inc., where insurance companies can see it. If you're having trouble getting insurance, you may want to have your bureau information forwarded to your doctor to verify its accuracy.

If you can't get life insurance, you may need to consider other ways to protect your family financially.

Medical Power of Attorney

In a medical power of attorney, you name another person, called your agent, to make medical decisions and give medical consent when and if you're unable to do so. In this document, you can specify your desires and limitations for medical treatment. Generally speaking, your agent should carry out your wishes when making your medical decisions together with your healthcare providers. Having a medical power of attorney is a good idea for anyone of legal age. In most states a spouse can make medical decisions and give medical consent if you are unable. If you don't have a spouse or an agent who has medical power of attorney, healthcare providers may require a guardianship proceeding if you aren't mentally or physically able to make an informed medical decision or give consent.

The person you choose as your agent should be someone you trust and who agrees to be appointed as your agent. You may choose your spouse, parents, adult children and friends as agent. You may not appoint your healthcare provider, their staff or any person associated with the healthcare facility treating you. Provide a copy of your executed medical power of attorney to your physician and make sure your agent keeps the original copy in a safe, fireproof location in case of an emergency. It's very important to discuss your personal opinions with your appointed agent(s) and healthcare providers, even if your present health is good. It's even more important if your health isn't good.

Living Will

A living will gives advance written notice to your physician, family and friends and instructs them about your wishes if you become unable to give directions. It says that you don't want any life-sustaining procedures, including mechanical ways to restore a bodily function that would only artificially delay the moment of death. An example of a life-sustaining machine is a respirator. Pain medications, food and water aren't considered life-sustaining substances. A living will usually requests that your wishes be honored by family and physicians.

Advance Directives

An Advance Directive is a document in which you can declare specific healthcare requests and name another person to make healthcare decisions and give necessary medical consent when you're unable to do so. The two major forms of advance directives used in most states are the medical power of attorney and living will.

How To Obtain Advance Directives

An attorney can prepare advance directive documents, usually at a low cost. You can usually get more information from your attorney, state bar association referral system or your

physician. Whether or not you use an attorney, it's critical that the document you sign be in a legal form that satisfies the requirements of your state's law and is properly executed to be effective. An agent named in your medical power of attorney is often required to act in a crisis. You don't want questions about the validity of the document to arise.

The person creating the medical power of attorney and living will must be mentally competent when signing it and it must be witnessed. Healthcare providers and staff can't be appointed as agents, or can they act as witnesses to these documents.