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Could a HIPAA Release Be Critical for College-Bound Students?

Can you imagine sending your child to college this fall and receiving a phone call that he or she has been hospitalized for COVID-19? It may be every parent's worst nightmare. With the coronavirus surging and students expected to flood college campuses in the coming months, the risk of infection is clear.

That, however, may be only one concern. Without a HIPAA release, parents could be blocked from talking to their child's doctors and accessing important medical information. What could be worse?

Most parents are used to tending to their children's health care needs and they might assume that those responsibilities will continue after their child leaves home and attends college. Once children reach age eighteen, though, they are legally considered adults and subject to privacy protections under the Health Insurance Portability and Accountability Act of 1996, or HIPAA.

That means parents can be denied vital health information in an emergency unless they are specifically named on a child's HIPAA authorization form. The authorization is essentially a

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permission slip that says who can, and cannot, receive personal medical information, and the kind of information that can be disclosed.

When a college student designates his or her parents, they can be kept abreast of important developments and participate in their child's care. They can also have the freedom to access their child's health records and share their medical history. As you speak with your estate planning attorney together, be sure to inquire as to what other estate planning documents he may recommend as well.

Not all young-adult students, however, may be keen on allowing their parents ongoing access to their health information. College students tend to value their independence, and some may want to keep certain information private, such as mental health counseling, legal prescription drug use, and reproductive health decisions.

No need to worry. With guidance, a HIPAA release can be designed to allow parents immediate access during an emergency, while also protecting certain privacies. Once a HIPAA release is appropriately drafted, signed and notarized, consider making copies and storing the original document on a hard drive or cloud server. A digital copy could be emailed or electronically transmitted at a moment's notice and save valuable time.

For more information on HIPAA issues and other important health care documents, contact our office today to schedule a meeting with attorney Alan Hougum.

Why You May Want to Leave Money to a Charity in Your Estate Plan

Have you thought about leaving money to charity after you pass away? Doing so can have many benefits. Not only would you have the satisfaction of knowing that you are supporting a worthy cause after you are gone, but donating estate funds can provide certain financial advantages.

First, helping those in need may be among one of the most rewarding things anyone can do. Maybe your donations will help find a cure for a terrible disease or provide opportunities for disadvantaged children. More and more, people are leaving gifts to organizations that provide care for abused and abandoned animals. There is no shortage of honorable pursuits, and you cannot take money with you in the end.

Your family, however, can. In other words, assets given to charity may be assets diverted from your prospective heirs. That does not have to be a zero-sum dynamic. For example, if the value of your estate exceeds the applicable threshold for an estate tax exemption, then donating a proportionate piece of your estate to a tax-exempt charity could reduce its overall value and likely spare your family a significant tax bill.

People with moderately sized estates can also benefit, as they often overlook the potential for appreciating assets to put them at risk of an estate tax down the road. Additionally, highly appreciated assets can involve large tax liabilities once they are redeemed. In both cases, donating



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them to a charity may protect your estate, benefit your family members, and help a charitable organization that receives favorable tax treatment.

Another way to donate to a charity without penalizing your heirs can be to establish a percentage of giving in your estate documents rather than a numerical dollar amount. By leaving a percentage, you can rest assured that your charitable gift(s) can be proportionate to your estate design regardless of market fluctuations and increasing or decreasing asset values. Your loved ones may feel comforted knowing that their inheritance may not be overtaken by circumstances that could lead to outsized giving.

It can be important to balance your income needs and the needs of your loved ones in conjunction with charitable giving. Contact us to schedule a meeting with attorney Alan Hougum where we can discuss your questions and concerns.



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Attorney Alan Hougum and his compassionate team will help you protect yourself and the people you love with strategic planning strategies, such as wills, asset protection and trusts, powers of attorney, estate trusts, elder law planning, Medicaid crisis planning, Medicaid eligibility and application, probate and estate administration, avoiding probate, charitable planning and giving, special needs, and estate tax planning. Hougum Law Firm, LLC, serves the entire Wausau, Wisconsin area.

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305 S. 18th Avenue, Suite 200, Wausau, Wisconsin 54401. Do you have questions you need answered before or after your appointment? Just let us know! Contact us by email at info@hougumlaw.com or call us at 715-843-5001.