



Is a nursing home telling
you that you need to file
for guardianship?

**There may be alternatives
to guardianship.**



Why explore alternatives to guardianship?

Guardianship should only be used as a last resort because it strips adults of the treasured right to make decisions for themselves.

Can the patient make the decision themselves?

Even though the person may have the legal right to consent to admission themselves, nursing homes often suggest applicants have a legal decision-maker.



Does the patient have a Health Care Power of Attorney (also called a Patient Advocate Designation or Advance Directive)?

A Health Care Power of Attorney is a legal document that allows a person to appoint someone else to make health care decisions for them if they are no longer able to make those decisions for themselves. A guardianship may not be necessary if the person has signed a Patient Advocate Designation.

Can the person sign a Health Care Power of Attorney now?

Even if someone is not able to make more complicated decisions, they may be able to clearly and consistently name the person they want to make decisions for them. If so, they may have enough understanding to sign a valid Health Care Power of Attorney.



What resources are available?

Legal Aid may be able to provide free legal help. For an intake, call Legal Services of Northern Michigan at 231-941-0771.



Health Care Power of Attorney Form and Support

Munson Health Care has a free Health Care Power of Attorney form (also known as an Advanced Directive), as well as additional information and resources on their website.



<https://www.munsonhealthcare.org/services/advance-care-planning/documents>

Michigan Guardianship Diversion Project (MGDP)

This project is funded by a grant from the Michigan Health Endowment Fund to the Michigan Elder Justice Initiative, a non-profit civil legal aid organization. In partnership with the Probate Court and many local organizations, the project seeks to connect people to options that could be a less restrictive alternative to guardianship or conservatorship and to ensure guardianship is used only when it is necessary and appropriate.

Contact us at 517-827-8010 Ext. 7 or MGDP@meji.org for more information or further assistance.