



Ames Simmons, Policy Director, Equality North Carolina
Transgender-Specific Clauses for Advance Directives

Healthcare Power of Attorney

Specific Powers Related to Gender Identity:

- A. My Healthcare Agent's authority to act on my behalf concerning my medical care includes but is not limited to, requesting, asserting my rights to, giving consent for, and withdrawing consent for:
 1. Any medical treatment related to maintaining my gender identity, including but not limited to:
 - a. Administration of exogenous hormones, including but not limited to estrogen, androgen blockers, and testosterone, as applicable;
 - b. Ongoing treatment related to surgical interventions, including but not limited to continued dilation of vagina, scar treatment such as silicone, collagen, massage, and any other medically necessary treatment, as applicable;
 - c. Any other diagnostic and treatment procedures ordered by or under the authorization of a licensed healthcare provider under Medical Orders for Scope of Treatment.
 2. Use of my affirmed name, pronouns, and forms of address, in order to preserve my dignity as a transgender person, in any and all healthcare contexts.
 3. Placement, housing, clothing, grooming, medical records including death certificate, obituary, and disposition of my remains¹ are all done in accordance with my gender identity, affirmed name, pronouns, and forms of address, including after my death. This authority takes precedence over any provision to the contrary in any prepaid funeral contract.
- B. These powers are enforceable regardless of whether I have obtained a court-ordered name change, changed the gender marker on any identification document, or undergone any transition-related medical treatment.
- C. My Healthcare Agent may seek reimbursement for costs associated with the powers of this section from my Financial Agent. My Healthcare Agent will provide an accounting to my Financial Agent as frequently as reasonably requested by my Financial Agent demonstrating that funds are being used to carry out directives in my Healthcare Power of Attorney.

¹ Note that state laws may differ as to whether disposition of remains can be done via power of attorney, last will and testament, or a specific disposition of remains document.

Financial Power of Attorney

Specific Powers Related to Gender Identity:

1. My Financial Agent's authority to act on my behalf includes spending any funds necessary to carry out directives in my Healthcare Power of Attorney.