

633B.213 Personal and family maintenance.

1. Unless the power of attorney otherwise provides and subject to [section 633B.201](#), language in a power of attorney granting general authority with respect to personal and family maintenance authorizes the agent to do all of the following:

a. Perform the acts necessary to maintain the customary standard of living of the principal, the principal's spouse, and the following individuals, whether living when the power of attorney is executed or later born:

(1) The principal's minor children.

(2) The principal's adult children who are pursuing a postsecondary school education and are under the age of twenty-five.

(3) The principal's parents or the parents of the principal's spouse, if the principal had established a pattern of such payments.

(4) Any other individuals legally entitled to be supported by the principal.

b. Make periodic payments of child support and other family maintenance required by a court or governmental agency or an agreement to which the principal is a party.

c. Provide living quarters for the individuals described in paragraph "a" by any of the following:

(1) Purchase, lease, or other contract.

(2) Paying the operating costs, including but not limited to interest, amortization payments, repairs, improvements, and taxes, for premises owned by the principal or occupied by those individuals.

d. Provide funds for shelter, clothing, food, appropriate education, including postsecondary and vocational education, and other current living costs for the individuals described in paragraph "a" to enable those individuals to maintain their customary standard of living.

e. Pay expenses for necessary health care and custodial care on behalf of the individuals described in paragraph "a".

f. Act as the principal's personal representative pursuant to the federal Health Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191, including amendments thereto and regulations promulgated thereunder, in making decisions related to past, present, or future payments for the provision of health care consented to by the principal or anyone authorized under the law of this state to consent to health care on behalf of the principal.

g. Continue any provision made by the principal for automobiles or other means of transportation, including registering, licensing, insuring, and replacing them, for the individuals described in paragraph "a".

h. Maintain credit and debit accounts for the convenience of the individuals described in paragraph "a" and open new accounts.

i. Continue payments or contributions incidental to the membership or affiliation of the principal in a religious institution, club, society, order, or other organization.

2. Authority with respect to personal and family maintenance is neither dependent upon, nor limited by, authority that an agent may or may not have with respect to gifts under [this chapter](#).

[2014 Acts, ch 1078, §38](#); [2015 Acts, ch 30, §200](#)

Referred to in [§633B.201](#), [§633B.202](#), [§633B.203](#), [§633B.214](#)

Section not amended; section history revised