

Caregiving in
The Comfort of Home®

Caregiver Assistance News

“CARING FOR YOU... CARING FOR OTHERS”

Alzheimer's – Financial & Legal Planning

It is important to decide how future health care, legal, and financial decisions will be made before things reach the crisis stage and the person with dementia can't participate. These decisions should be recorded in legal documents for two reasons:

1. to make sure that a person's wishes are honored
2. to make sure the family has enough information about those wishes in order to make life-and-death decisions

The ability to plan for future decisions depends on one's ability to:

- understand the available choices and the results of those options
- make and communicate a choice
- express values and goals

Once these matters are understood, a range of legal documents can be drawn up to help ensure that the person's wishes will be carried out.

There are many legal tools that can help you and the person in your care now and in the future. Financial and legal planning is necessary and should be started early. Planning for the future should include looking at income tax issues, protecting existing assets, saving for the future, and paying for care. Long-term planning will help you and the person with AD feel more secure, no matter what the future brings.

You should also seek advice about insurance, employment rights, and state-assistance programs. If possible, discuss all options with the person in your care.



Caregivers need to understand the Social Security benefits and insurance policies of the person in their care, including medical insurance, Medicare, and private disability insurance. Familiarize yourself with the covered expenses, copayments and deductibles. Caregivers also need to understand the Americans with Disabilities Act (ADA) and other laws that are designed to protect housing, transportation, recreation, and employment.

When planning for the future, expert advice can be helpful, as the laws change and depend on where you live. Many community agencies offer legal and financial planning services. Contact your local chapter of the Alzheimer's Association for information and resources.

Source: The Comfort of Home for Alzheimer's Disease

This information is not intended as legal advice. We have presented a general summary of the rights of capable adults to make, or arrange for others to make, their health care decisions. Our summary does not contain all the technical details of laws in each state. Check what your state requires by law.

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Financial and Legal Planning Tools

Will—a legal document that spells out how money and property is to be given out after death. If a person is disabled or does not have the physical or mental abilities to tend to his or her own affairs, other legal papers are needed.

Living Trust—a legal document that names someone (a trustee) to manage a person's finances or assets. A trust includes advice on how to manage assets and when to distribute them (give them out). It can also protect assets from probate, which is a long legal process to make sure that the will is legal. Usually, the trust goes into effect if a person becomes unable to function well and is likely to make bad financial decisions.

Power of Attorney—a document that names someone to make decisions about money and property for a person who is unable to make those decisions. A person should have one power of attorney for financial management and a separate power of attorney for health care.

Representative Payee—someone named by the Social Security Administration to manage a person's Social Security benefits when that person is unable to look after his or her own money and bill paying.

Conservatorship—a legal proceeding in which the court names an individual to handle another's finances when that person becomes unable to do so.

Making a will, setting up a trust, providing income, and protecting assets may involve future decisions about giving to charity, insurance policies, annuities (yearly payments), and other instruments. This kind of planning is necessary and should not be put off. If the person in your care is in the *early stage* of AD, and still able to make plans for the future, it is a good idea to suggest he prepare a *letter of instructions*. The letter should list all property and debts, location of the original will and other important documents, and names and addresses of professional advisors. It should also include funeral wishes and special instructions for giving away personal property such as furniture and jewelry.

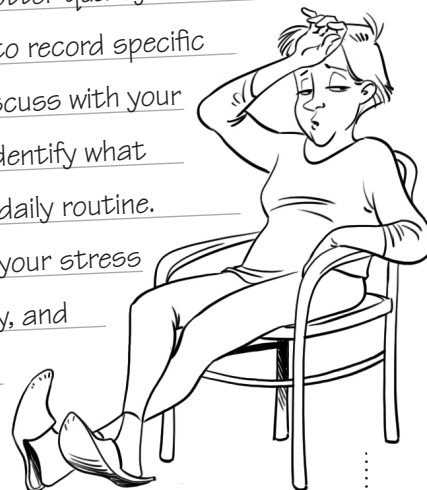
Health Care Decision Making and Alzheimer's Disease

It is important to remember that in the *early stage* of Alzheimer's disease, the person with dementia may still be physically strong and may also have serious memory problems, but it is likely that he can still make his preferences about treatment known. His choices should be followed whenever possible. Because of the progressive nature of the disease, it is especially important that advance directives be considered while the person with dementia can be involved in making decisions for himself. Once the *severe stage* is reached it may become necessary to decide whether to continue treating or curing any illness that the person with dementia has or whether to begin palliative (treating pain without trying to cure) care. Without an advance directive, life-prolonging measures may still be performed, even though hope of recovery is gone. Note, if there is disagreement among family members and there is no advance directive, it may be necessary for the court to appoint a guardian to be decision maker.

Taking Care of Yourself—Fatigue

Fatigue is a common problem for people who are recovering from illness—and their caregivers. Here are three ways to manage fatigue and have a better quality of life:

1. Find out why you are experiencing fatigue by keeping a diary to record specific activities that may be causing your fatigue. It will help you discuss with your doctor what you normally do during the day so he can help identify what causes your fatigue and suggest new ways to manage your daily routine.
2. Plan your daily activities. This is important to help minimize your stress and fatigue. List down everything you might need for the day, and make sure you include your medications, food, and water.
3. Eat healthy energy-packed foods, especially if you have a lot of activities during the day.



Live Life Laughing!

Every time I think I can make ends meet, they move the ends.



Inspiration

A good laugh and a long sleep are the best cures.

— Irish Proverb

Memory Care - The Power of Choice

Dementia can strip individuals of their ability to control their world. Small choices become very important. The more choices they can make for themselves, the more control they feel. And the more control they feel, the greater the sense of independence and self-esteem they enjoy.

Caregiving in The Comfort of Home®

Our Purpose

To provide caregivers with critical information enabling them to do their job with confidence, pride, and competence.

Ordering Info

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SAFETY TIPS—Guardianship

If the person in your care did not choose someone to act on his behalf when he was still competent, it may be necessary for you to formally become his guardian so you can make decisions on his behalf.

A legal action, Conservatorship, seeking appointment of a guardian will avoid conflict with others who may not agree with your decisions and empower you to act for the person in your care. This will involve a court procedure for which you will need legal representation. A court must find a person to be mentally incapacitated and in need of someone to step in as decision-maker before a guardian will be appointed on his or her behalf.

The responsibilities of a guardian may include deciding where the person lives, the personal and medical care he or she receives, and how his financial resources are used.

Tip *Keep in the safe-deposit box—original will, deeds, passport, stock and bond certificates, birth and marriage certificates, insurance policies. Keep at home—a copy of the will.*