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MEMBER



Special needs require special lawyers.

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QUESTIONS FOR AGING PARENTS

A *Real Simple* magazine article discusses how adult children and their parents can have an open discussion about their concerns, and together face the challenges of aging. This discussion is often not an easy one to have; a 2001 AARP study revealed that three-quarters of adult children think about their parents' ability to live independently, but one-third of the children surveyed have avoided discussing the topic with their parents. The results for parents are similar; 70% said they think about their ability to live independently, but more than one-third said they do not discuss the subject with their children. The article provided several conversation-starting questions that adult children can ask their parents.

Do you have enough health insurance? Your parents should have coverage through Medicare (both Part A and Part B, and a Part D prescription drug plan). You should discuss adding a Medigap insurance policy, which can cover co-payments, deductibles, costs, and services not included or only partially included under Medicare. Your parents may also want to consider purchasing long-term care insurance to help defray the cost of long-term care in their home or in a facility. You should work with an expert who is familiar with all of the options for these insurance plans.

Do you think your physician is well-informed about the issues common to older patients? Geriatric physicians are invaluable resources, but they can be hard to find. You should look for physicians who emphasize care for seniors. If your parents require services from multiple specialties, then hiring a geriatric care manager to help coordinate healthcare services can be a big help, especially if you do not live near your parents. Think of the geriatric care manager as a general contractor who will investigate your parents' needs, scope out the project, and link the family with health and support resources.

Can we help you make your home more comfortable? Your family may want to discuss moving the master bedroom to the first floor of a multi-level home, or installing a stair climber. Simple changes such as removing throw rugs may help prevent falls, and if your parents get up during the night to use the restroom, then you can install motion-triggered nightlights to light the path. You might want to discuss other housing options, such as ranch houses, condos, and assisted living facilities, so you can be prepared financially if and when the need arises.

Are you feeling secure about driving? This can often be the most contentious issue between parents and children. The parents want to maintain their independence, and the children are concerned about safety. Seniors who are still capable of driving can enroll in the two-day 55 Alive driver safety program sponsored by AARP. If it appears that your parents will have to stop driving in the foreseeable future, then you can help ease the transition by talking with the local Chamber of Commerce, community centers, churches, synagogues, and the local agency on aging, to see if any of them offers shuttle services. Taxi or car services will often set up standing appointments to drive so people can shop, go to dinner or to the movies.

Do you have an estate plan in place? The key pieces of the plan are a general durable power of attorney to manage finances if a parent becomes ill, an advance medical directive to make medical decisions if needed, and a will or trust for the disposition of assets at death. The plan also includes a thorough financial review to ensure that asset allocations are appropriate, and that any necessary insurance is in place. Your parents should have lists of their important information (including funeral and burial preferences) in one place, and they should let you know where to find this information in case you need it. You should consult with an elder law attorney to ensure that your parents' plans are comprehensive and integrated.

If possible, parents and children should discuss these issues face-to-face. The atmosphere should be one of comfort and collaboration, not confrontation. Children should emphasize that their top priority is ensuring that the parents' wishes are honored and carried out. There is no need for children to parent their parents; rather they should become partners in helping their parents manage their lives. If possible, all family members should be on board; sometimes it may be necessary to involve a third-party facilitator, such as a therapist, trusted family lawyer, or a financial planner who is already working with the parents or children. Above all, be patient; many issues may not be resolved with the first conversation. The key is to start the ongoing dialogue.

The attorneys at Oast & Hook assist clients with their estate, financial, insurance, long-term care, and veterans' benefits planning needs.

Ask Allie

O&H: Allie, last week you told us about a cat who was reunited with his family after being missing for five years. We've heard you have a similar story about a local dog. Please tell us about him.

Allie: Sure! Willis is a Clumber spaniel who was living here in Portsmouth. Four days before Christmas last year, Willis disappeared from the back yard of his owner, Karen Martin. Ms. Martin thinks he was probably stolen because Clumber spaniels are a rare and expensive dog. Ms. Martin searched intensely for him for the past year, with no leads. Somehow Willis made his way to the Washington, D.C., area where he was picked up and taken to the Tri-County Animal Shelter in Hughesville, Maryland. Willis did have a microchip, but it was not detected. The rescue coordinator at the shelter placed him on its at-risk list in order to get his photo out to rescue groups in hopes that he would be adopted. The photo made its way to the office manager of a veterinary hospital who recognized Willis's breed and sent the photo to the rescue groups she knew. A friend of Ms. Martin saw the photo and sent an e-mail with the photo to Ms. Martin, who called the shelter and learned that it was indeed Willis. Two members of the Clumber Spaniel Club of America picked up Willis from the shelter and kept him at their home until Ms. Martin could get him later in the day. Willis returned home in time for Christmas and is on the mend. What a great story! Time to find my mom and play. I hope all of our readers have a Happy New Year! See you next week!

Announcement

Oast & Hook attorney Brian Boys will speak on the topic of estate planning from noon to 1:00 p.m., Tuesday, January 11th at Fourth Baptist Church located at 726 South Street, Portsmouth, Virginia 23704. For more information on this church, please visit www.fourthbaptistchurch.com. For more information on this presentation, please phone Jennie Dell at 757-399-7506.

Distribution of This Newsletter

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