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## LIFE CARE PLANNING – A NEW FOCUS FOR ELDER LAW FIRMS BY LETHA SGRITTA MCDOWELL

As we age, the issues and options we face grow more complex and confusing. Managing medical issues, finances, living arrangements and how to maintain quality of life requires thoughtful planning. Too often, seniors or their families turn to an elder law firm at a time of crisis when incapacity, illness, housing or mobility concerns require immediate action.

Life care planning is a relationship between a law firm, family, and the aging individual that offers the support, guidance, and direction throughout the aging process. Life care planning provides an anticipatory approach to the health, safety, well-being, and quality of life of seniors and their families, by providing not only legal assistance with estate, disability, and financial planning, but also assistance with social and medical concerns that arise due to aging. Life care planning can offer peace of mind to aging individuals that they will maintain as much independence and dignity as possible, so they do not have to rely solely on their children or families in their golden years. A life care planning law firm will have a care coordinator on staff. The care coordinator can assist seniors by performing in-home assessments and coordinating with families and discharge planners to provide the best quality care in the appropriate setting. The care coordinator can also provide information to families so the families can effectively advocate for their loved ones in the health care system. The goal of life care planning is to assist seniors and their families throughout all phases of the long-term care continuum, whether the senior is at home or in a facility.

Life care planning is particularly instrumental when seniors are still living at home. As people age, almost all will reach a point when they or their families must decide whether it is safe for them to continue living at home alone. This decision point can occur suddenly because of a medical event such as a stroke or fall that causes a fracture. It can also occur because of the death of a spouse, and it can come on gradually because of the onset of dementia or physical limitations such as arthritis. In some circumstances, assistance such as ongoing medication management, or providing physical changes to a senior's home such as remodeling a shower or bathroom or changing flooring can aid a senior in remaining safe and independent at home for as long as possible. In other cases, in-home care is appropriate, or facility care may be required if it is no longer safe for the senior to remain at home.

When an elderly relative begins to show signs that the senior needs help with activities of daily living, many families want to avoid institutionalized care, and allow the elderly relative to remain at home where the senior is comfortable and familiar with the surroundings. If this is the case, then the family basically has two choices: hire a home-care aide or handle the caregiving themselves. Both of these options can be acceptable solutions and both can present pitfalls and challenges. Life care planning can help the senior's family assess and weigh the benefits of all options on the long-term care spectrum. Once an appropriate plan of care has been developed, then the law firm will assist the senior and the senior's family with the planning necessary to pay for the care either now or in the future.

Life care planning is beneficial while seniors are still at home, and life care planning can also provide stress relief and assistance to families of seniors who are hospitalized. A life care coordinator can assist a family with discharge planning when the senior is leaving the hospital. Often a senior goes to the hospital and is treated for an immediate health care need. The senior is then not well enough to go home and needs some additional care. A hospital discharge planner is assigned to help the senior find placement. Often, this process happens quickly with little to no family involvement. A life care coordinator is familiar with the family and the senior and is familiar with what meets the family's and the senior's needs. Because of the relationship with the family, the care coordinator can work with both the family and the hospital discharge planner to find intermediate care for the senior. A life care coordinator will also work with the family after discharge to be certain that the chosen care is effective. For many, a hospital discharge is one of the most stressful events that can occur. A discharge often happens in just a matter of days, and the process and care options are not fully explained. A life care planning law firm can assist in the transition.

Life care planning does not end once an appropriate level of care has been determined. Everyone's care and financial needs change with time. Life care planning maintains an ongoing relationship between the law firm and the family, and this planning allows families and seniors to contact the care coordinator and attorney when changes occur so that the initial plan can be reviewed and revised.

Life care planning also involves advocating on a senior's behalf. In many cases a crisis such as a fall can occur. Such a situation can leave a family shocked and feeling helpless. The medical system moves quickly, and many seniors and their family members are left confused. A life care coordinator will provide information on what is occurring in the health care system and what to expect. The care

coordinator can also provide ongoing support through the discharge process and after the senior either moves home or to a long-term care facility.

As with a traditional elder law practice, a life care planning law firm assists the senior and the senior's family not only with the care of a senior, but also with the financial aspects of aging. In many circumstances people are concerned with the cost of caring for a person with a chronic illness. After the care needs are adequately met, then the attorneys will assist in either financial planning or asset protection and planning for public benefits. Life care planning is a value added supplement to any traditional elder law practice.

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### **Ask Allie**

O&H: Allie, we've heard about an amazing military dog who is going on his fourth overseas deployment. Please tell us about him

Allie: Sure! Lucky is ten years old and is living up to his name. His first three deployments took him to Afghanistan and Iraq. In Afghanistan, he sniffed out an explosive fastened to a military generator at a forward base. While in Iraq, Lucky was with a group of soldiers on a roadway and survived an improvised bomb attack with them. He and his handler received the 2010 animal rescue heroes award from the Inland Northwest Chapter of the American Red Cross for their valor in Iraq. Lucky has also survived two bouts with cancer and had two successful surgeries for tumors on his hind legs. His handlers say that Lucky is still sharp, that he adapts well to his surroundings, is cool under fire, and can subdue a fleeing suspect on command. Lucky and his handler recently left for six months in Kyrgyzstan for Lucky's fourth overseas deployment. Wow, what a hero! Thank you, Lucky, for helping our troops overseas. Time to check out the neighborhood visitors. See you next week!

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