

Planning For Long Term Care

When (and How) to Plan for the Long-Term Care of an Aging Loved One

It happens to most adults sooner or later: taking on the responsibility of managing the medical, long-term care and/or financial needs of an aging parent, spouse or other loved one. It's not usually a welcome duty, but it doesn't have to be downright scary either. Here's what you should know in order to take charge with confidence:

Know when to step in. Chances are that your aging loved ones will not ask you to take control. In fact, seniors often cling to their independence in denial of their diminished abilities to run their own affairs. What are some signs that it's time to take charge? Look for poor decision-making that leads to physical injury or financial missteps. Are your elderly loved ones increasingly forgetful? Are they physically unable to perform routine tasks? Have they lost perspective on their personal safety or financial well-being? Healthcare and financial services providers can be valued resources if you think your loved ones might need help, but you are probably the best judge; if you think it might be time to step in, it probably is.

Know how to step in. Because your loved ones might be too proud to ask for help, they might also be too proud to accept it even if you bring it up. Rather than saying, "Mom, I'm not sure you are capable of taking care of ____ any

longer, so I'd like to take over," approach the subject with subtlety. You might, instead, say, "Mom, I'm thinking of having a will prepared so my family is protected. What's your experience with this process? Do you have any advice for me?" It's a significant difference, right? Which of these two approaches do you think would be more successful? Regardless of your loved one's response to the subtler question, it establishes a more comfortable dialogue that can lead to productive planning.

Make sure your loved ones have a will. Taking the better approach above could lead to the discovery that your parent or loved one doesn't yet have a will. Even the simplest family situation could benefit from having one, however. For example, did you know that without a valid will, a parent holding financial accounts jointly with a child inadvertently ends up disinheriting the other children? For more information about why having an up-to-date and valid will is essential, read my article, [The Truth About Wills: Are You Putting Your Loved Ones at Risk?](#)

Consider other essential documents. Just as a comprehensive and up-to-date will can create peace of mind for the eventuality of death, other life planning documents can give you confidence in dealing with elder care, disability and other longer-term needs. These include a Durable Financial Power of Attorney, Durable Healthcare Power of Attorney, an Advance Healthcare Directive, otherwise known as a Living Will (which can make clear the wishes of the individual regarding life-sustaining medical procedures) and a Funeral Planning Directive. Each of these documents can be essential in making sure your loved one is properly cared for throughout the latter stages of life.

Discuss Long-Term Care Planning Before It Becomes Necessary. Many seniors will spend time — often a lengthy period — in a long-term care facility. Before that happens, it's important to anticipate and plan for it. A long-term care insurance policy could be appropriate, but must be considered in the context of Medicare, Medicaid and other financial factors. Seek competent legal advice to

make sure assets are not at risk. To preserve these assets, estate planning is important. But timing can be critical: "gifting" of assets in the five years prior to the engagement of certain long-term care measures could lead to those assets still being considered those of the "gifter", thereby making them subject to Medicaid restrictions. In that case, penalties could be involved and Medicaid could be denied.

Don't wait. Because speaking about — and dealing with — long-term care or end-of-life matters is neither easy nor pleasant, too many people wait too long. This often invites complications. For example, if your loved one becomes mentally or physically incapacitated before the proper documents are in place, legal challenges could arise. You could also be forced to go to court to be appointed legal guardian. Even if successful, you might have to get court approval for monies spent in the care of your loved one. Procrastinating often leads to "reacting" to the challenges of a deteriorating situation, rather than acting to avoid these challenges before they arise.

The Bottom Line: It's never too early to take the initiative. Determine what elder care planning has been done, and then put in place other necessary documentation and arrangements. Working proactively with your family's attorney, you can avoid some of the emotional and financial pitfalls that too many caregivers ultimately face. I'll be glad to assist you with your unique needs.