



ELDER LAW *Update*

NEWS AND IMPORTANT INFORMATION FOR SENIORS AND THEIR FAMILIES



IN THIS ISSUE

- Thoughts On Making The Decision To Seek Nursing Home Care Page 1
- What To Look For In A Nursing HomePage 2
- Is Long-Term Care Insurance Right For You?.....Page 3
- A Personal Note From JanPage 4

THOUGHTS ON MAKING THE DECISION TO SEEK NURSING HOME CARE

One of the most difficult decisions faced by any family is whether to place a spouse or parent in a nursing home. The decision is made even more difficult when family members disagree about whether a nursing home is the only realistic option. While there is no way to make the decision “easier,” there are a few steps that can be taken to at least make family members a little more comfortable with the decision.



Make sure everyone in the family is included in the decision

Everyone involved should know why the decision is being considered in the first place. Describe the level of care required and why it can no longer be provided by the current caregiver. A family meeting is the best approach to discussing the situation, but when family members live far apart this is not always possible. However, keeping everyone in the loop through email and phone calls is extremely important.

Make sure that all available options have been explored

There are a number of alternatives to nursing home care. For example,

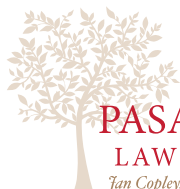
professional caregivers can provide needed services in the home. Local agencies may offer respite care to give family caregivers a break from their responsibilities. However, the former can be prohibitively expensive, while the latter may be only a temporary solution. Similarly, there are several residential care options available in lieu of nursing home care. These include assisted living and what are known as congregate care facilities. If you explore every option, and it is clear that nursing home care is the only realistic choice, the decision will be easier for everyone to accept.

Involve everyone in the process of choosing a nursing home

While it may not be possible for every member of the family to physically tour prospective nursing homes, it is essential to keep the lines of communication open during this vital decision. The last thing anyone needs to hear after the fact is “This is where you decided to put Mom?” Try to involve everyone in the search and get all parties involved to agree on the best option.



Jan Copley
Attorney at Law



**PASADENA
LAW GROUP**
Jan Copley, Attorney at Law

70 South Lake Avenue | Suite 1000
Pasadena, CA 91101 | P (626) 696-3145
www.PasadenaLawGroup.com

WHAT TO LOOK FOR IN A NURSING HOME



Once the decision has been made that nursing home care is the best option for your loved one, you must decide on the nursing home itself. Here are some of the issues to consider when choosing a nursing home.

The nursing home's location

This may seem like a no-brainer, but one of the most important aspects of an individual's quality of life in a nursing home is receiving frequent visits from members of the family. When the nursing home is nearby, it's easier for you and the rest of your family to visit. Similarly, if the nursing home is located relatively close to where your loved one previously lived, his or her former neighbors and friends will be more likely to visit.

Special services offered by the nursing home

On the most basic level, if your loved one has specific physical needs, can the nursing home meet them? And what about emotional or spiritual needs? If your loved one is religious, for example, does the facility offer religious services?

Does the nursing home have references?

Some facilities will allow you to contact family members of residents to discuss the level of care provided by the nursing home. This is a good sign, and you should take advantage of the opportunity.

What does the research say?

You can find a wealth of information about specific nursing homes online. For example, you can purchase detailed nursing home reports by visiting www.carescout.com. Another site, www.medicare.gov, provides a great deal of information about nursing homes, including inspections of certain facilities over the last three years. This site allows you to download a detailed checklist to use while touring a nursing home.

How does the facility "feel" to you during your tour?

A spectacular chandelier in the lobby or a well-dressed receptionist does not necessarily mean your loved one will receive the best possible care. Nor does a lack of fancy accouterments mean he or she will not be treated well. What matters most is the attitude of the staff, the demeanor of the residents, and the overall feeling you get as you tour the facility. Do the people working there seem friendly and are they willing to answer your questions? Do the residents appear relaxed and comfortable? What is on the menu for dinner? Trust your instincts. If something doesn't feel right, no matter how nice the facility appears, look elsewhere.

We can help you and your family decide if a nursing home is indeed the best option for your spouse, parent, or close friend. We can also help you find the information you need to make an informed decision about all of the options available to you.

IS LONG-TERM CARE INSURANCE RIGHT FOR YOU?



One of the issues we have not yet discussed in this issue of our elder law newsletter is the cost of nursing home care. If you've shopped around, you probably already know that the cost of nursing home care can be summed up in a single word—expensive. In fact, nearly two-thirds of families exhaust their life savings within a year or two of a family member entering a nursing home. For this reason, many families consider purchasing long-term care insurance in advance to help guard against the need for expensive long-term care in the future. Here are some factors to consider.

Your daily benefit requirement

Many people look at the national averages for long-term care costs and neglect to factor in regional differences. Don't make this mistake. Be sure to find out the care costs where you live now (or where you want to reside in the future), and use that figure as your base. The differences between states, and even metro areas within an individual state, can be a hundred dollars a day or more.

Timing

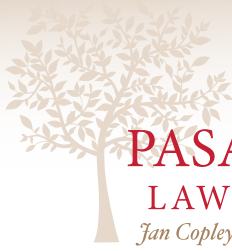
The issue here is two-fold: The age at which you apply for the policy initially, and the waiting period you choose for the policy to take effect before you begin receiving benefits. Typically, the younger you are when you apply, the cheaper your policy. A 55-year-old will usually pay significantly less—perhaps a thousand dollars a year less—than a 65-year-old to secure the same coverage. Of course, the benefits of

the lower premium must be factored in against the amount of time a younger person will likely continue to pay premiums without requiring long-term care. It is important to note that if you wait too long, or until you have developed medical problems, you may not be able to qualify for a policy at all. As for the waiting period, the longer the waiting period, the less expensive the policy. But a longer waiting period means you'll need to pay the bills yourself before you receive any benefits. Given the cost of long-term care, most people should consider a 60-day or 90-day waiting period, which keeps premiums manageable but limits out-of-pocket costs.

Inflation

It is essential to have some kind of inflation adjustment in your long-term care policy. A policy with a \$200 daily benefit will barely make a dent in the bills if care costs \$500 per day when you finally need it. The best inflation-protection coverage automatically increases your benefit amount by 5 percent compounded annually, keeping pace with the rising cost of care. Such policies are pricey, often doubling the cost of coverage, but your premiums should remain the same even as the benefit amount increases.

The bottom line is this: Before purchasing a long-term care policy, talk to us first. We can determine whether it is a good idea in your particular situation, and if so, incorporate it into your overall plan.



PASADENA LAW GROUP

Jan Copley, Attorney at Law

70 South Lake Avenue | Suite 1000
Pasadena, CA 91101

A PERSONAL NOTE FROM JAN

Welcome to our most recent elder law newsletter. I think it has something for everyone!

One of the hardest parts of my job is working with people who are declining, and helping their loved ones to decide if it's time to consider a nursing home. It can be so hard to determine when it's the right time to act. I hope the article, "Thoughts on Making the Decision to Seek Nursing Home Care," is helpful to you if you're ever faced with such a decision.

The article also lists resources for finding an appropriate nursing home. For California-specific information, you might also want to check the following link, http://www.canhr.org/NH_Data/index.html, maintained by California Advocates for Nursing Home Reform. And, there are agencies that help families find an appropriate place for their loved ones; if you like the name of one or two, just give me a call.

We also talk about long-term care insurance in this issue. I think the nonlegal question I get the most is, "should I buy long-term care insurance?" Well, the answer differs for everyone — and I am not licensed to sell insurance — but I hope the article, "Is Long-Term Care Insurance Right for You?" provides you with helpful information and insights on this issue.

Of course, I can't send out a newsletter without thanking all of you — the wonderful clients and influencers of the Pasadena Law Group — for all your support!

A handwritten signature in red ink that reads "Jan Copley".

Jan Copley, Attorney at Law