

Connecticut Care Planning Council



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Connecticut Care Planning Council Newsletter

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The [Connecticut Care Planning Council](#) (CTCPC) lists companies and individual providers on our website who help families deal with the crisis and burden of long term care.

One purpose of the CTCPC is to educate the public on the need for care planning before a crisis occurs. A second purpose is to provide, in one place, all of the available government and private services for eldercare.

Michael Savenelli, Sr.**Dan Fisher****Elaine Pavasaris****Janet Gallugi****John Carmon****Doug and Ken
Henricksen**

**Stay informed!
Subscribe here!!**

Event Calendar

1/19/2010

Location:

Arden Courts Avon

Finally, our ultimate mission is to offer a trusted listing service that the public will recognize and turn to for expert help in dealing with the challenges of long term care.

Call us at 860-769-6938

or click [here](#) to send an e-mail



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Elder Law Attorneys Specialize in Helping the Elderly

Many elderly persons rely entirely on their children, family members or other trusted individuals to help them. This dependence upon caregivers or family members makes an older person more vulnerable to abuse and financial exploitation. Legal arrangements and protective actions by family may be necessary to shield loved ones from making bad decisions or from being taken advantage of.

Though you wouldn't think a child could take advantage of his or her mother or father, there is no way to know what someone will do who is desperate for money or who feels entitled to an inheritance. For example:

David's parents' health was failing and living alone in their home was becoming a concern. His sister Jill wanted to look into assisted living for them. David immediately became upset at Jill for wanting to spend their money. He packed up his parents and brought them to his home. Being single and working, he was not available to them during the day, but left food and water on the table to sustain them until he returned home in the evening. Jill lived over 300 miles from David and when she could get to his house to visit; she found her parents' care was not acceptable. They could not remember if they took their medications or if they had even eaten a meal that day. David was also draining their savings account and when confronted about it, became angry and complained that he needed their money to pay expenses for their care. Clearly Jill felt her brother's care of their

Topic:
LTC Planning for Dementia

1/26/2010

Location:
Arden Courts Farmington

Topic:
Estate Planning Planning for
those with Dementia

3/5/2010

Location:
Riverside Community Center

Topic:
VA Benefits

3/5/2010

Location:
Canton Senior Center

Topic:
Medicaid Spend Downs

parents was abusive, but David's defense was he provided a home for his parents in which he could care for them. This family needs a professional advisor to help them understand and clarify the issues concerning their parents' care.

Making legal decisions about property, finances, power of attorney, and final wishes are important tasks to complete for the final years of life. Having legal documentation for a will, for medical treatment and for the person designated to be responsible for parents' welfare can avoid family disputes and financial abuse, and help to conserve assets that are needed for care.

Elder law attorneys specialize in legal issues affecting the elderly. They are knowledgeable about Medicare and Medicaid programs. They work with the elderly in assisting them and their families with all aspects of estate planning and implementing necessary legal documents for the final years of life. In addition, they help individuals to apply for and possibly accelerate coverage from Medicaid. An elder law attorney can also help with disputes with Medicaid. Below is a partial list of what an elder law attorney might do:

Contact Us

**34 Jerome Avenue
Bloomfield, CT 06002**

(860)769-6938

Offers & Info

[Veteran's Aid Befnefit](#)

- Preservation or transfer of assets seeking to avoid spousal impoverishment when a spouse enters a nursing home
- Medicaid qualification and application and Medicaid planning strategies
- Medicare claims and appeals
- Veterans Benefits claims
- Social security and disability claims and appeals
- Disability planning, including use of durable powers of attorney, living trusts and living wills
- Help with financial management and health care decisions; and other means of delegating management and decision-making to another in case of incompetence or incapacity
- Probate
- Administration and management of trusts and estates
- Long term care placements in nursing homes and assisted living
- Nursing home issues with patients' rights and nursing home quality
- Elder abuse and fraud recovery cases

A Certified Elder Law Attorney (CELA) is an elder law attorney who is highly proficient in meeting the legal needs of elders and in understanding and applying the rules of Medicaid. A CELA has successfully handled a requisite number of pertinent cases in order to receive that designation. This experience will make an attorney with this designation more competent with elder planning issues than other attorneys lacking this designation.

Most elder law attorneys do not specialize in all of the areas

iterated above. When considering an attorney you will want to find one who has experience in the area you need help.

According to The National Academy of Elder Law Attorneys -- <http://www.naela.org/>:

"Ask lots of questions before selecting an elder law attorney. You don't want to end up in the office of an attorney who can't help you. Start with the initial phone call. It is not unusual to speak only to a secretary, receptionist or office manager during an initial call or before actually meeting with the attorney. If so, ask this person your questions.

- How long has the attorney been in practice?
- Does his/her practice emphasize a particular area of law?
- How long has he/she been in this field?
- What percentage of his/her practice is devoted to elder law?
- Is there a fee for the first consultation and if so, how much is it?
- Given the nature of your problem, what information should you bring with you to the initial consultation?"

A good way to choose an attorney is by referral from friends, family, clergy or other associations. Before you meet for your initial consultation, prepare the items you want discussed and taken care of. Bring pertinent documents and questions. Be sure you get clear answers and that you understand what your attorney is proposing.

Two-way communication is the best way your attorney can understand your needs and concerns. Does the attorney listen to what you say, appear to really care about your concerns or return your phone calls? If not find another attorney. Most Elder law Attorneys sincerely want to help make you or your parent's elder years a well planned for, peaceful experience for all involved.

There are a number of ways attorneys charge for their services. They may charge a flat hourly rate. Or they may charge hourly for some services and add on additional expense for out-of-pocket costs such as paperwork, stamps, phone calls, etc. Or they may charge a single fee for a mutually agreed-upon course of action or plan. Some attorneys who specialize in appeals for veterans benefits or Social Security may work on a contingency basis. It is important to understand how you will be billed so there will be no surprises in the end.

Please visit the Connecticut Care Planning Council Website <http://www.careconnecticut.org/> or Weatherby & Associates, PC's website <http://www.weatherby-associates.com/> for additional information.



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Elder Abuse- More Prevalent than You'd Think

What is elder abuse?

The National Center on Elder Abuse defines the term as "...any knowing, intentional, or negligent act by a caregiver or any other person that causes harm or a serious risk of harm to a vulnerable adult."

There are six types of abuse:

1. **Physical Abuse** - Causing pain or injury to an elder or threatening to do so. Withholding basic needs is also considered physical abuse.
2. **Emotional Abuse** - Causing anguish, anxiety, distress or mental pain, either through verbal or nonverbal communication.
3. **Sexual Abuse** - Sexual contact of any type which is non-consensual.
4. **Neglect** - Withholding or failing to provide food, shelter, health care or any other type of protection. Self neglect is also considered abuse.
5. **Exploitation (financial or material)** - Stealing, misappropriating or hiding money, property or other assets.
6. **Abandonment** - Desertion of the elder by a caregiver.

Cases of elder abuse are increasing, according to reports from studies and journals, but national numbers cannot be reported because no system exists to track data. Elder abuse still largely remains a hidden problem.

The National Center on Elder Abuse, a non-profit organization, cited a report from the National Elder Abuse Incidence Study which found that in 1996 500,000 or more Americans aged 60 and older were domestic violence victims. The Senate

Special Committee on Aging estimated that 5 million elders may be abuse victims.

Elder abuse, like Alzheimer's disease, does not discriminate. Both men and women from different social strata and ethnicities are affected.

There are at least four factors which may make an elder vulnerable to abuse. These are social isolation, cognitive impairment, i.e., Alzheimer's disease or another type of dementia, living with someone else, or a previous history of domestic violence.

What are some signs of abuse?

Physical

- Black and blue marks, internal bleeding, welts, lacerations, or rope burns.
- Bone fractures.
- Open wounds or injuries which have been left untreated.
- Dislocations or sprains.
- Broken eyeglasses or assistive devices.
- Misuse of prescription drugs - overdose or under utilization.
- A change in the behavior of the elder or their own report of physical abuse.
- Isolation of the elder by the caregiver.

Emotional Abuse

- Upset or agitated behavior.
- Non communicative or non responsive behavior; extreme withdrawal.
- Behavior such as sucking, biting or rocking, when such behavior is not normally present, as may be the case with late-stage Alzheimer's disease.
- An elder's report of maltreatment.

Sexual Abuse

- Bruising of the breast or genital area.
- Unexplained venereal disease, genital infection, vaginal or anal bleeding.
- Underwear which is torn or bloody.
- An elder's report of rape or sexual assault.

Neglect (caregiver or self neglect)

- Living conditions which are unsafe or unsanitary, such as lice, fecal or urine smell.
- Inadequate clothing for the conditions.
- Dehydration, malnutrition or untreated health problems.
- An elder's report of mistreatment.
- Homelessness (self-neglect).

Exploitation

- Sudden changes in banking practices
 - Withdrawal of large sums of money by elder or person with Power of Attorney.
 - Checks made out to "cash."
 - Newly formed joint accounts between the elder and another person.
- Strange explanations by the elder as to why money is needed.
- Financial or title transfer transactions using the elder's forged signature.
- Sudden revisions to a will.
- New signatories on the elder's ATM card.
- Transfer of assets to a family member, caregiver or neighbor.
- Unnecessary provision of services.
- Unpaid bills or care not provided despite adequate fund.
- The report of exploitation by the elder.

Abandonment

- Leaving the elder at a hospital, nursing facility, shopping center or other area.
- The report of abandonment by the elder.

Reporting elder abuse

If someone is in a life-threatening situation, call 911 immediately. If you suspect that abuse may be occurring, you can call adult protective services at 888-385-422, the long-term care ombudsman at 866-388-1888, or the general number for the police department in your area.

If you have been the victim of abuse, please tell a trusted friend or family member or your doctor. You can also call the Eldercare Locator help line at 1-800-677-1116, Monday through Friday, 9:00 am to 8:00 pm eastern time. *Most states will not require that you identify yourself in order to take the report.*

Who are the abusers?

Abusers come from all walks of life. Studies have shown that family members perpetrate the abuse and that adult children are generally more responsible for cases of abuse than are spouses. Anyone who is an abuser of an elder has most likely previously abused others of all ages.

Can elder abuse be prevented?

Educating professionals and the public on the warning signs plays a critical role in helping to stop abuse. Individuals should make an estate plan with an elder law attorney to help protect them and their family. Staying active as much as possible

and avoiding isolation is also helpful. Try to visit individuals who are cognitively incapacitated and receiving home or facility care.

What is being done to help stop the problem?

The Elder Justice Act S. 333 was introduced on March 29, 2007 to provide resources to states to help prevent abuse. The Act also proposes to increase prosecution of elder abusers, provide assistance to victims and support for "at risk" older adults. The Elder Justice Coalition is responsible for helping to pass the Elder Justice Act. Log on to www.elderjusticecoalition.com/legislation.htm for more information about the legislation.

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