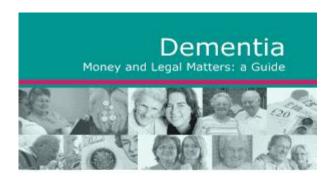
# **Dementia Money And Legal Matters A Guide**



Managing Money
Planning Ahead
Power of Attorney
Access to Funds
Medical Treatment & Research
Guardianship & Intervention Orders



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# Dementia, Money, and Legal Matters: A Guide

Facing a dementia diagnosis is incredibly challenging, both emotionally and practically. One of the most significant concerns for families is managing the financial and legal affairs of their loved one. This comprehensive guide provides essential information and steps to navigate this complex landscape, ensuring your loved one's well-being and security. We'll cover everything from understanding legal documents to safeguarding assets and accessing financial assistance. This isn't legal advice, but a crucial resource to help you prepare and make informed decisions during a difficult time.

## **Understanding the Legal Implications of Dementia**

## **Assessing Capacity and Legal Competence**

As dementia progresses, a person's ability to make sound judgments and decisions diminishes. It's

crucial to understand the concept of "capacity," which refers to a person's ability to understand information relevant to a decision, appreciate the consequences of that decision, and communicate their wishes. When capacity is lost, legal action may be necessary.

## Power of Attorney (POA): Your Crucial First Step

A Power of Attorney is a legal document that allows you to appoint someone you trust (your "agent") to manage your financial and/or healthcare affairs. This is vital before a person loses capacity. There are two main types:

Durable Power of Attorney: This remains in effect even if the person becomes incapacitated. This is the most critical document for managing finances during dementia.

Healthcare Power of Attorney (or Medical Power of Attorney): This allows your agent to make healthcare decisions on your behalf if you're unable to.

Establishing a POA early prevents potential legal battles and ensures seamless management of your loved one's affairs.

### **Guardianship and Conservatorship**

If a POA wasn't established beforehand, or if the existing POA is insufficient, guardianship or conservatorship might be necessary. These are court-ordered arrangements where a judge appoints someone to manage the individual's finances and/or personal care. This process can be lengthy and complex, requiring legal representation.

## **Accessing Benefits and Financial Assistance**

#### **Social Security and Medicare**

Understanding eligibility for Social Security Disability Insurance (SSDI) and Medicare is crucial. Dementia can qualify individuals for these benefits, providing much-needed financial support.

#### **Medicaid and Long-Term Care Insurance**

Medicaid helps cover long-term care costs, but eligibility requirements vary widely. Long-term care insurance policies, if held, can significantly reduce financial burdens. However, it's important to review the policy carefully to understand its coverage.

#### **Veterans Benefits**

Veterans may be eligible for various benefits, including financial assistance and healthcare services, which can significantly help with dementia care costs. It is worthwhile investigating these options.

## **Protecting Assets and Managing Finances**

### **Freezing Bank Accounts and Credit Cards**

Once capacity is lost, it's important to protect assets from potential misuse or fraud. Freezing bank accounts and credit cards may be necessary to prevent unauthorized transactions. Consult with your bank immediately about the procedures to do so.

## **Reviewing Investments and Retirement Accounts**

Reviewing existing investments and retirement accounts is critical to ensure they are appropriately managed and protected. A financial advisor familiar with dementia and estate planning can offer invaluable assistance.

## **Estate Planning and Wills**

Having a current and properly executed will is essential. A will outlines your wishes regarding the distribution of your assets after death. If you don't have a will, intestacy laws will determine how your assets are distributed. This can lead to complications and delays for your family.

### **Dealing with Fraud and Exploitation**

Sadly, individuals with dementia are vulnerable to financial exploitation. Be vigilant, regularly review bank statements, and report any suspicious activity to the appropriate authorities immediately.

## **Seeking Professional Help**

Navigating these legal and financial matters can be overwhelming. Seeking professional guidance is strongly recommended. Consult with:

Elder law attorney: Specializes in legal issues related to aging and dementia.

Financial advisor: Can assist with managing assets and investments.

Certified public accountant (CPA): Can help with tax planning and compliance.

Social worker or case manager: Can provide support and resources.

### Conclusion

Dementia presents significant challenges, but proactive planning and seeking appropriate professional help can significantly ease the burden on families. By understanding the legal implications, safeguarding assets, and accessing available resources, you can ensure your loved one receives the best possible care and financial security. Remember, early planning is key to minimizing stress and ensuring a smoother transition during a challenging time.

## **FAQs**

- 1. Can I change my Power of Attorney after it's been signed? Yes, you can usually revoke or amend a Power of Attorney as long as you have the capacity to do so.
- 2. What happens if someone refuses to honor a Power of Attorney? Legal action may be necessary to enforce the POA. An attorney can guide you through this process.
- 3. How do I prove someone lacks capacity? A physician's assessment is crucial to establish a lack of capacity. This assessment often forms the basis for legal proceedings.
- 4. Are there financial assistance programs for dementia care beyond Medicare and Medicaid? Depending on your location and circumstances, various state and local programs may provide additional financial assistance. Contact your local Area Agency on Aging for more information.
- 5. What if I suspect someone is exploiting my loved one financially? Report your suspicions immediately to your local Adult Protective Services agency and law enforcement. Gather all relevant documentation to support your claim.

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Clinicians and Caregivers Anne M. Lipton, Cindy D. Marshall, 2012-09-14 The Common Sense Guide
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approach to dementia care. Written by two specialists who have cared for thousands of patients with dementia and their families, this ground-breaking title unifies the perspectives of neurology and psychiatry to meet a variety of caregiver needs. It spotlights many real-world concerns not typically covered in standard textbooks, while simultaneously presenting a more detailed medical perspective than typical caregiver manuals. This handy title offers expert guidance for the clinical management of dementia and compassionate support of patients and families. Designed to enhance the physician-caregiver interaction and liberally illustrated with case examples, The Common Sense Guide espouses general principles of dementia care that apply across the stages and spectrum of this illness, including non-Alzheimer's types of dementia, in addition to Alzheimer's disease. Clinicians, family members, and other caregivers will find this volume useful from the moment that symptoms of dementia emerge. The authors place an emphasis on caring for the caregiver as well as the patient. Essential topics include how to find the right clinician, make the most of a doctor's visit, and avert a crisis - or manage one that can't be avoided. Sometimes difficult considerations, such as driving, financial management, legal matters, long-term placement, and end-of-life care, are faced head-on. Tried, true, and time-saving tips are explained in terms of what works - and what doesn't with regard to clinical evaluation, medications, behavioral measures, and alternate therapies. Medical, nursing, and allied health care professionals will undoubtedly turn to this unique overview as a vital resource and mainstay of clinical dementia care, as well as a valuable recommendation for family caregivers.

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affected by dementia.

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support, with personal budgets and direct payments, backed by clear, comparable information and advice that will allow individuals and their carers to make the choices that are right for them. This paper sets out the principles and approach, with sections covering: strengthening support within communities; housing; better information and advice; assessment, eligibility and portability for people who use care services; carers' support; defining high-quality care; improving quality; keeping people safe; a better local care market; workforce; personalised care and support; integration and joined-up care.

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engaged in meaningful activities Providing tips for sleeping, eating and drinking Suggesting ways to help your partner with their appearance and dignity Showing you ways of overcoming the challenges of changing behaviour, reactions and responses Helping reduce the effects of hallucinations, delusions and misperceptions Suggesting ways for you to care for yourself Involving families and friends Giving advice when considering professional care at home and in residential care Knowing how tired and stressed you may feel, 'Finding the Light in Dementia' is written in bite sized chunks that makes it easy to follow. By giving you space to write down any points you would like to make and providing question sheets for you to refer to when speaking with your doctor and/or legal professionals you can make this your personal guide. When following the approaches in this book, you should find that your partner will feel more understood and you will become calmer thereby helping you both find a sense of connection and continue to live well.

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presents Christine Brown Wilson's latest research into improving dementia care for both non-expert students and junior staff as well as more senior managers. The text first guides the reader through the underpinning theory behind the different approaches to person centred and relationship centred care and provides case scenarios with a range of practical strategies staff and students have developed and implemented. It then presents the different levels of the organisational change using practical strategies adopting a person centred and relationship centred approach involving the person with dementia and their families. This book will be indispensable reading for all nursing and healthcare students and practitioners who want to improve the quality of life for people with dementia. Christine Brown Wilson is Associate Professor at the University of Queensland, Australia.

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following highlights: a redefinition of the overarching statement describing occupational therapy's domain; a new definition of clients that includes persons, groups, and populations; further delineation of the profession's relationship to organizations; inclusion of activity demands as part of the process; and even more up-to-date analysis and guidance for today's occupational therapy practitioners. Achieving health, well-being, and participation in life through engagement in occupation is the overarching statement that describes the domain and process of occupational therapy in the fullest sense. The Framework can provide the structure and guidance that practitioners can use to meet this important goal.

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dementia money and legal matters a guide: Handbook on the Neuropsychology of Aging and Dementia Lisa D. Ravdin, Heather L. Katzen, 2012-09-14 With the aging of the baby boomers and medical advances that promote longevity, older adults are rapidly becoming the fastest growing segment of the population. As the population ages, so does the incidence of age related disorders. Many predict that 15% - 20% of the baby-boomer generation will develop some form of cognitive decline over the course of their lifetime, with estimates escalating to up to 50% in those achieving advanced age. Although much attention has been directed at Alzheimer's disease, the most common form of dementia, it is estimated that nearly one third of those cases of cognitive decline result from other neuropathological mechanisms. In fact, many patients diagnosed with Alzheimer's disease likely have co-morbid disorders that can also influence cognition (i.e., vascular cognitive impairment), suggesting mixed dementias are grossly under diagnosed. The Clinical Handbook on the Neuropsychology of Aging and Dementia is a unique work that provides clinicians with expert guidance and a hands-on approach to neuropsychological practice with older adults. The book will be divided into two sections, the first addressing special considerations for the evaluation of older adults, and the second half focusing on common referral questions likely to be encountered when working with this age group. The authors of the chapters are experts and are recognized by their peers as opinion leaders in their chosen chapter topics. The field of neuropsychology has played a critical role in developing methods for early identification of late life cognitive disorders as well as the differential diagnosis of dementia. Neuropsychological assessment provides valuable clinical information regarding the nature and severity of cognitive symptoms associated with dementia. Each chapter will reinforce the notion that neuropsychological measures provide the clinician with sensitive tools to differentiate normal age-related cognitive decline from disease-associated impairment, aid in differential diagnosis of cognitive dysfunction in older adults, as well as identify cognitive deficits most likely to translate into functional impairments in everyday life.

**dementia money and legal matters a guide:** <u>Juggling Life, Work, and Caregiving</u> Amy Goyer, 2015 One in four American adult face the challenges of caring for an adult friend or relative. Although caregiving can be a richly rewarding and joyful experience, the role comes with enormous

responsibilities-- and pressures. This gentle guide provides practical resources and tips that are easy to find when you need them, whether you're caregiving day to day, planning for future needs, or in the middle of a crisis. Goyer offers insight, inspiration, and poignant stories and experiences of caregivers, including her own as a live-in caregiver for her parents.

dementia money and legal matters a guide: Guide to Ministering to Alzheimer's Patients and Their Families Pat Otwell, 2008-05-19 Learn how to develop an effective Alzheimer's ministry. The Guide to Ministering to Alzheimer's Patients and Their Families examines the importance of spirituality in dealing with the everyday challenges of this mysterious disease. Not a "how-to" manual with step-by-step instructions or tried and true formulas, this unique book instead examines the essential elements of ministering to dementia patients based on the first-hand accounts of family members living through pain and uncertainty. The book explores the stages of Alzheimer's, grief and guilt, available resources, and implications of spiritual care for patients and families. It is equally useful as a textbook for graduate and undergraduate work, a reference for study groups and seminars, and a primer for those with limited knowledge of the illness. Ministers sometimes neglect Alzheimer's patients and their families because they feel they don't know what to say or do even though they want to be obedient and faithful servants in this specialized ministry. The Guide to Ministering to Alzheimer's Patients and Their Families communicates the thoughts, feelings, and needs of those affected by the disease to help ministers feel more comfortable, confident, and competent as they develop a theological understanding of God, Alzheimer's patients, and their role in ministry. The book also provides models for ministry; role-play scenarios; a sample text for a care facility worship service, a care facility memorial service, and a funeral service for a Christian and a non-Christian as well as a sample clergy seminar program on Alzheimer's ministry. The Guide to Ministering to Alzheimer's Patients and Their Families examines: common characteristics of early, mild, moderate, and severe Alzheimer's general information about Alzheimer's ethical decision-making support group ministry respite care religious rites faith issues heredity hospitalization of Alzheimer's patients long-distance caregiving working with other clergy The Guide to Ministering to Alzheimer's Patients and Their Families also includes a special appendix of selections from the Scriptures. This book is a unique resource for all Christians who desire to minister to those affected by Alzheimer's—especially pastors, priests, chaplains, pastoral counselors, church leaders, healthcare professionals, and seminary students.

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