

# Legal Considerations for Care

Yvonne Amrine

# Yvonne Amrine, Amrine Law

- Practicing Estate & Elder Law Attorney
  - Founded Amrine Law in 2011
  - Member of NAELA (National Academy of Elder Law Attorneys)
  - Personal Experience- Mother with Alzheimer's Disease
  - Trustee and Guardian since 2001

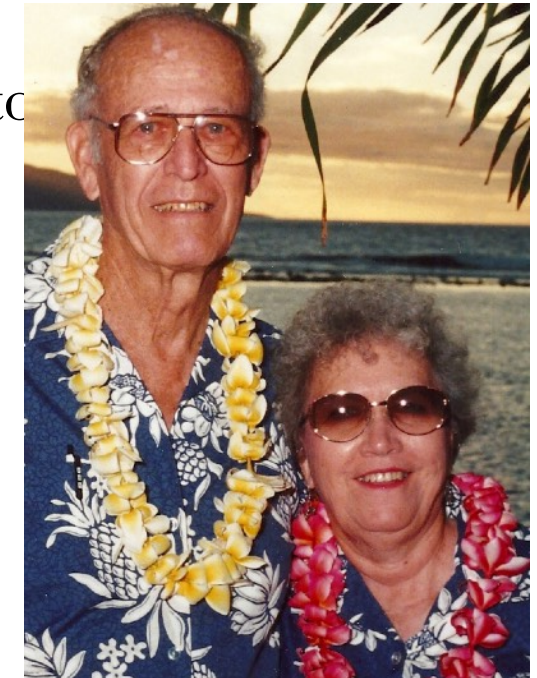


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VA Accredited since 2011 <http://www.va.gov/ogc/apps/accreditation>

Accreditation Number: 21842  
POA Code: 6BQ



Paul & Norma Butler



# What Legal Documents Do You Need to Remain in Control?



- Wills, Trusts, Powers of Attorney
- Most important documents—Power of Attorneys for Healthcare and Finances
  - Healthcare and end-of-life decisions
  - Financial management
    - Paying bills
    - Tax returns
    - Retirement administrator
    - Bank and investment accounts
- If you own real property in California – You need a Trust!
  - Avoids Cost of Probate in time and money – Statutory fees (\$\$\$\$)
  - Can enable advanced planning techniques for long term care planning

# Financial Powers of Attorney

- A Standard Statutory form is not enough
- Make sure your estate plan takes into account the possibility of needing to qualify for a government benefit
- Give your trusted agent the tools to take care of you
  - Who do you choose?
    - Oldest child? Most Responsible? More than one?
    - ***Are they equipped to do the job?*** Do they have the temperament? How much time does it take? Is their life stable?
  - Who can you trust?
    - Private Professional Fiduciary or Trust Officer at a bank?



# Advanced Healthcare Directive

- Appoints an agent (and alternates) for Durable Power of Attorney for health care decisions
- Provides agent(s) with authority to access medical information and advocate on your behalf
- Statutory versus customized documents
  - Witnessing and notarization requirements
  - Inclusion of specific language to preserve long term care benefits
- Gives your agent control and direction over remains



# POLST

- Physicians Order for Life Sustaining Treatment
  - For the seriously ill
  - Tells your exact wishes about certain medical treatments
  - A signed medical order that your health care team can act upon
  - Goes with you to your home, your hospital, or your long-term care facility
    - It goes where you go
  - It is a good idea that seriously ill people have both an Advance Directive and a POLST form

The image shows a sample POLST form. It is a legal document used to guide medical care for seriously ill patients. The form is titled "Physician Orders for Life-Sustaining Treatment (POLST)". It includes sections for patient information, medical history, and specific orders regarding life-sustaining treatments. The form is a legal document used to guide medical care for seriously ill patients.

# Communicating Your Wishes

- Let agents and advocates know
- Provide copies of necessary documents
- Share important contact information
- Have regular conversations
- Share in a way that is comfortable for you



# US Military Service Connection



***If you think you have a service-connected claim,  
Talk with a VA-Accredited Attorney!***

- For Parkinson's Disease to be considered presumptively caused by your service:
  - Must have served "in" Vietnam (boots on the ground) 02-28-61 thru 05-07-75, or
  - Prove one of the other types of exposure. There's a long list!
- Need help determining Exposure?
  - Free Agent Orange Registry health exam. Contact your local VA Environmental Health.
  - Not always thorough, but it gets you into health system faster.



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Elder-Care and VA Disability Planning · Trusts and Wills  
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