

# The Life Care Plan

## Planning for Long-Term Care of Our Clients



Long-term care planning is not simply an exercise in which the elder law attorney and the family engage in transferring assets. At all times we work to promote and maintain the good health, safety, and well being of our client.

### Three Fundamental Planning Factors

Long-term care planning is affected by three fundamental factors:

1. The Elder Care Continuum
2. Marital status and family and non-family supports
3. Resources

### The Elder Care Continuum

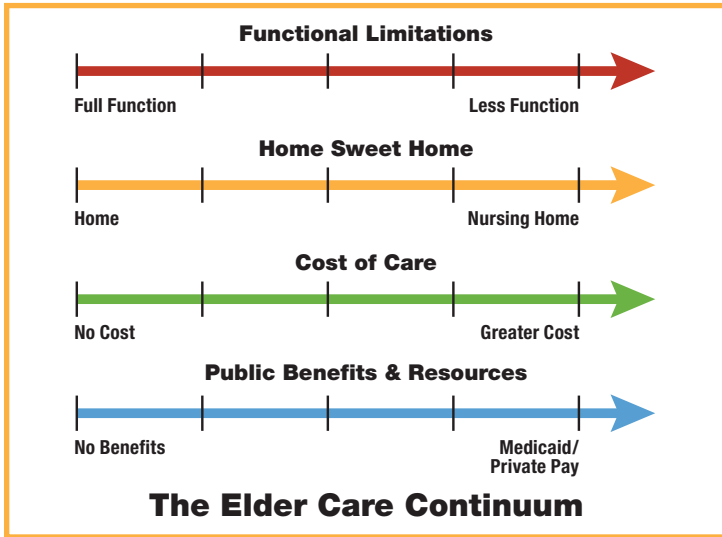
Where is the elder located on the elder care continuum? We describe long-term care planning as discovering our client's place on the elder care continuum and then figuring out what we need to do to find, get, and pay for good care for our client.

Think about the elder care continuum as a timeline on which the client is moving toward the end of his life. The ideal for all of us is to "age in place" at our home when possible. Some people have the good fortune to depart this life in this manner, but many do not. Instead, they may have Alzheimer's or Parkinson's disease, or suffered a disabling stroke, or become frail, or otherwise have found themselves moving down the elder care continuum. They find that they need assistance with activities of daily living.

The term "activities of daily living," or ADLs, refers to the basic tasks of everyday life, such as eating, bathing, dressing, toileting, and transferring. Instrumental activities of daily living (IADL) are activities related to independent living and include preparing meals, managing money, shopping for groceries or personal items, performing light or heavy housework, and using a telephone.

Measurement of both ADLs and IADLs is critical because they are significant predictors of admission to a nursing home; use of paid home care; use of hospital services; living arrangements; use of physician services; insurance coverage; and mortality. Use of such services all describe the elder who is moving down the elder care continuum, needing more assistance until the individual finds that he requires daily nursing home care.

**The Life Care Plan** is quickly becoming the gold standard as we plan for the long term care of our clients. The Life Care Plan combines the best of the legal and care management worlds into one plan and actively works to maintain a **high quality life** for clients.



duced or no cost, access to long-term care usually depends upon the client's own resources. Although long-term care is available to persons with limited means, having money gives people more choices. Resources can include:

- Social Security**
- Pension**
- Wages or self-employment income**
- Investments**
- Home**
- Long-Term Care Insurance**
- Medical and Health Insurance Coverage**
- Federal and State Long Term Care Programs**
  - Medicare and Medicaid

### Marital Status and Family Supports

What is the marital status of our client? Many of our cases present us with a husband and wife who are moving down the elder care continuum, and they are seldom at the same place on the continuum. Individuals who need long-term care often have family and friends who help them. In many instances, these helpers are related to the individual-- usually a spouse or a child. Sometimes the caregiver lives with the individual or sometimes caregiving consists of an occasional visit to the individual. Additional activities range from helping another manage finances, shop for groceries, or do housework to helping another get in and out of beds or chairs, get dressed, get to and from the toilet, bathe or shower, or eat. In our planning, we will identify our client's caregivers. They are vital to meeting the quality of life and care needs of our client and need support.

### Resources

What resources are available to our client? In addition to public benefits that may be available to the client at re-

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Everyone has some if not all of the above resources available to them. The Life Care Plan attorney and care manager assess the level of each resource available to our client and put them to work for the benefit of our client. The uncertain future of the Medicare and Medicaid programs encourage us all to prepare as best we can for the future. All states now have a Medicaid Recovery Program that allows states to recover funds spent on individuals in nursing home after the client passes away. This money usually comes from the sale of the home.

First and foremost, the Life Care Planning efforts are directed toward bettering the lives of our clients – who are the elders and not the elder's children or other expectant heirs. Goals of our long-term care planning for the elderly are in this order of priority: (1) promoting and maintaining quality of life and quality of care for the elder; (2) assisting the elder and his or her family with health care and long-term care decision making for the elder; and (3) preserving family wealth first, for the benefit of the elder, and second, for the benefit of the elder's family. ★



## Steven A. Early, J.D., CFP Attorney at Law

5850 Colleyville Blvd.  
Colleyville, Texas 76034  
Phone: 817-605-8880  
Fax: 817-605-8882  
[www.lawyerearly.com](http://www.lawyerearly.com)