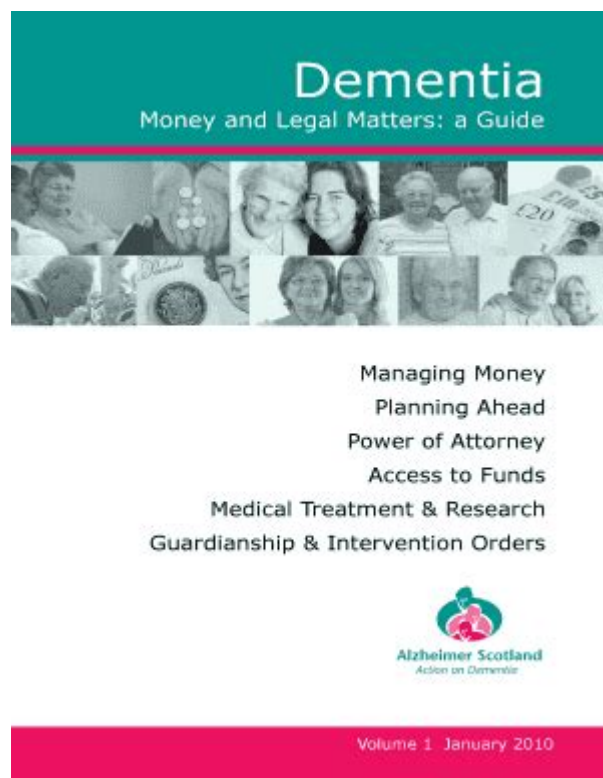


Dementia Money And Legal Matters A Guide



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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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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National Academies of Sciences Engineering and Medicine, Division of Behavioral and Social Sciences and Education, Board on Behavioral Cognitive and Sensory Sciences, Committee on the Decadal Survey of Behavioral and Social Science Research on Alzheimer's Disease and Alzheimer's Disease-Related Dementias, 2022-04-26 As the largest generation in U.S. history - the population born in the two decades immediately following World War II - enters the age of risk for cognitive impairment, growing numbers of people will experience dementia (including Alzheimer's disease and related dementias). By one estimate, nearly 14 million people in the United States will be living with dementia by 2060. Like other hardships, the experience of living with dementia can bring unexpected moments of intimacy, growth, and compassion, but these diseases also affect people's capacity to work and carry out other activities and alter their relationships with loved ones, friends, and coworkers. Those who live with and care for individuals experiencing these diseases face challenges that include physical and emotional stress, difficult changes and losses in their relationships with life partners, loss of income, and interrupted connections to other activities and friends. From a societal perspective, these diseases place substantial demands on communities and on the institutions and government entities that support people living with dementia and their families, including the health care system, the providers of direct care, and others. Nevertheless, research in the social and behavioral sciences points to possibilities for preventing or slowing the development of dementia and for substantially reducing its social and economic impacts. At the request of the National Institute on Aging of the U.S. Department of Health and Human Services, *Reducing the Impact of Dementia in America* assesses the contributions of research in the social and behavioral sciences and identifies a research agenda for the coming decade. This report offers a blueprint for the next decade of behavioral and social science research to reduce the negative impact of dementia for America's diverse population. *Reducing the Impact of Dementia in America* calls for research that addresses the causes and solutions for disparities in both developing dementia and receiving adequate treatment and support. It calls for research that sets goals meaningful not just for scientists but for people living with dementia and those who support them as well. By 2030, an estimated 8.5 million Americans will have Alzheimer's disease and many more will have other forms of dementia. Through identifying priorities social and behavioral science research and recommending ways in which they can be pursued in a coordinated fashion, *Reducing the Impact of Dementia in America* will help produce research that improves the lives of all those

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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When a loved one has been diagnosed with dementia you might step into the new role of carer, helping your relative to remain safe, happy and as independent as possible. In this fully updated and revised edition, *Dementia Essentials* offers a realistic and reassuring guide to help you and the person affected navigate the complexities of dementia and Alzheimer's, and face anything that these conditions might place your way. Written by real carers with first-hand experience, this book is now updated with the latest research coupled with essential advice, personal insights and helpful strategies, including:

- Advice on medication and getting support from local health professionals
- Ideas for encouraging independence, confidence and activity while reducing anxiety, aggression and confusion
- Strategies for coping as a carer, helping you understand your emotions and feel more empowered
- Guidance on how to prepare for the future, including revised legal and financial advice and tips on choosing a care home

Positive and practical, *Dementia Essentials* will give you with everything you need to provide the best possible care for the person you are supporting.

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2005 Christine Bryden was a top civil servant and single mother of three children when she was diagnosed with dementia at the age of 46. *Dancing with Dementia* is a vivid account of her experiences of living with dementia, exploring the effects of memory problems, loss of independence, difficulties in communication and the exhaustion of coping with simple tasks. She describes how, with the support of her husband Paul, she continues to lead an active life nevertheless, and explains how professionals and carers can help. This book is a thoughtful exploration of how dementia challenges our ideas of personal identity and of the process of self-discovery it can bring about.

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Geriatrics Society (AGS), Health in Aging Foundation, 2016-04-25 Your sensitive, authoritative guide to Alzheimer's and dementia If a loved one has recently been diagnosed with dementia or Alzheimer's disease, it's only natural to feel fraught with fear and uncertainty about what lies ahead. Fortunately, you don't have to do it alone. This friendly and authoritative guide is here to help you make smart, informed choices throughout the different scenarios you'll encounter as a person caring for someone diagnosed with dementia or Alzheimer's disease. From making sense of a diagnosis to the best ways to cope with symptoms, *Alzheimer's and Dementia For Dummies* is the trusted companion you can count on as you navigate your way through this difficult landscape. Affecting one's memory, thinking, and behavior, dementia and Alzheimer's disease can't be prevented, cured, or slowed—but a diagnosis doesn't mean you have to be left helpless! Inside, you'll find out how to make sense of the symptoms of dementia and Alzheimer's disease, understand the stages of the illnesses, and, most importantly, keep your loved one safe and comfortable—no matter how severe their symptoms are. Find out what to expect from Alzheimer's and dementia Discover what to keep in mind while caring for someone with Alzheimer's or dementia Uncover symptoms, causes, and risk factors of Alzheimer's and dementia Learn the critical information needed to help manage these illnesses Whether you're new to caring for a person affected by Alzheimer's or dementia or just looking for some answers and relief on your journey, this is the trusted resource you'll turn to again and again.

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2017-01-30 There are many resources available about the cognitive changes and impairments associated with dementia, including Alzheimer's. Little has been written, however, about LIVING

with, what for many will be, a long-term condition. This handbook provides information and insights provided by people living with dementia and their care partners to help family and friends better understand living with early and moderate symptoms of dementia, and how to best support someone you care about.

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How to live a full and rewarding life after a dementia diagnosis. Keith Oliver was diagnosed with young onset dementia at the age of 55. Unaware at the time that dementia could affect people of this age, Keith set out to increase public awareness of the condition and dispel the myths about the illness. Using a unique diary format, this intimate and empowering memoir captures what everyday life with dementia is like, offering both a candid look at its struggles, and a profoundly moving account of Keith's journey to live a full life afterwards.

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National Academies of Sciences, Engineering, and Medicine, Health and Medicine Division, Board on Health Care Services, Committee on Family Caregiving for Older Adults, 2016-12-08 Family caregiving affects millions of Americans every day, in all walks of life. At least 17.7 million individuals in the United States are caregivers of an older adult with a health or functional limitation. The nation's family caregivers provide the lion's share of long-term care for our older adult population. They are also central to older adults' access to and receipt of health care and community-based social services. Yet the need to recognize and support caregivers is among the least appreciated challenges facing the aging U.S. population. Families Caring for an Aging America examines the prevalence and nature of family caregiving of older adults and the available evidence on the effectiveness of programs, supports, and other interventions designed to support family caregivers. This report also assesses and recommends policies to address the needs of family caregivers and to minimize the barriers that they encounter in trying to meet the needs of older adults.

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Scotland Jill Stavert, Hilary Patrick, 2016-12-16 This highly regarded book is a comprehensive and up to date guide to mental health law in Scotland. Every aspect of mental health law is explained, including tribunal procedure, procedures for adults with incapacity, community care, patients' rights and legal remedies for when things go wrong. Mental health and incapacity law affect not just those subject to compulsory orders, but everyone with a mental health problem, dementia or a learning disability.

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Thomas F. Harrison, Brent P. Forester, 2022-08-03 If you are facing the unique challenges of caring for a parent with dementia, you are not alone. What do you do when your loved one so plainly needs assistance, but is confused, angry, or resistant to your help? Where can you find the vital information you need, when you need it? Journalist Thomas Harrison and leading geriatric psychiatrist Brent Forester show that you don't have to be a medical expert to be a good care provider in this authoritative guide. They explain the basics of dementia and offer effective strategies for coping with the medical, emotional, and financial toll. With the right skills, you can navigate changing family roles, communicate better with your parent, keep him or her safe, and manage difficult behaviors. Learn how to care smarter, not harder--and help your loved one maintain the best possible quality of life.

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Britain: Department for Constitutional Affairs, 2007-08-16 The Mental capacity Act 2005 provides a statutory framework for people who lack the capacity to make decisions for themselves, or for

people who want to make provision for a time when they will be unable to make their own decisions. This code of practice, which has statutory force, provides information and guidance about how the Act should work in practice. It explains the principles behind the Act, defines when someone is incapable of making their own decisions and explains what is meant by acting in someone's best interests. It describes the role of the new Court of Protection and the role of Independent Mental Capacity Advocates and sets out the role of the Public Guardian. It also covers medical treatment and the way disputes can be resolved.

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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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dementia money and legal matters a guide: Money Smart for Older Adults Resource Guide Federal Deposit Insurance Corporation, Bureau of Consumer Financial Protection, 2019-03 This recently updated guide produced by the Bureau of Consumer Financial Protection (BCFP) and the Federal Deposit Insurance Corporation (FDIC) provides information on common frauds, scams and other forms of elder financial exploitation and suggests steps that older persons and their caregivers can take to avoid being targeted or victimized. The mission of the BCFP, a government agency, is to make markets for consumer financial products and services work for consumers by making rules more effective, by consistently and fairly enforcing those rules, and by empowering consumers to take more control over their economic lives. The FDIC is an independent agency created by the Congress to maintain stability and public confidence in the nation's financial system.

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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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Annotation This 13-volume set from the Mayo Clinic gives detailed information on various health conditions, for example, high blood pressure, depression, and prostate health. Each book contains a wealth of information including charts and graphs.

dementia money and legal matters a guide: *What to Do Between the Tears...* Tara Reed, 2015-11-11 Does your loved one have dementia or Alzheimer's? Have you felt numb, angry, powerless, sad and terrified all at the same time? Have you felt like you don't know how to act, where to turn or what to do? Author Tara Reed has felt these things too. She desperately needed a game plan: things TO DO to make a difference & reduce overwhelm... She wanted to feel empowered: to know how to show up and speak up to get the best care that she could for her dad... She wanted to support her family and also be supported through her own grief... She knows you want those things too. She has been where you are now. In *What to Do Between the Tears...* she shares her game plan and her journey with her father's Alzheimer's with you. Topics covered in this book include: Learning More after a Diagnosis Financial & Legal Considerations Medical Options & Choices Self-Care & Support Needs Choosing In-Home Care or a Care Facility Connecting with Your Loved One End of Life Planning Additional Resources

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.

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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.

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dementia money and legal matters a guide: Dementia, Law and Ethics Julian C. Hughes, Aileen Beatty, Charlotte Emmett, 2020-12-21 Clinical dilemmas in dementia contexts are often not because the clinical facts are in doubt, but because the ethical and legal underpinnings are uncertain - which can cause worry and confusion. This practical book will help nurses, healthcare assistants and other practitioners to think through their responses clearly in the midst of these difficult situations. The chapters all stand alone, allowing the reader to dip quickly in and out of the book as required. They address complex issues such as abuse, behaviour that challenges, forced care, treatment withdrawal, and contain clinical case vignettes throughout. This is essential reading to give practitioners the confidence that good legal and ethical decisions can be made in the same way as good clinical decisions.

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