

Get Your Ducks in a Row!

Estate & Long-Term Care Planning News
from Carolina Family Estate Planning

October 2020

CHOOSING THE RIGHT HEALTH CARE AGENT

When assisting clients with their health care planning, I advise our clients that it's important to select a Health Care Agent that will be a great advocate for you. Someone that is willing to ask questions or get a second opinion when needed.

I often use my aunt and grandfather as an example to help explain why it's so important. My grandfather (Grampa) had vascular dementia and my aunt, Donna, was his health care agent and was called upon to make many health care decisions during his final years.

Over the years, Donna served as Grampa's Health Care Agent. She attended his medical appointments and discharge meetings, kept track of his medications, researched treatment options, asked the doctors detailed questions, checked drug interactions, and advocated for additional rehabilitation time or more physical therapy.

Over the years, I lost track of the number of errors, omissions, or potentially fatal mistakes that Donna prevented, but here are just a few:

- Doctors wanted to run an MRI or similar scan and she had to remind the doctor that Grampa couldn't have an MRI because he had a pacemaker.
- Different specialists prescribed medications without checking for potential interactions with medications that he was already taking.
- A hospital discharge nurse erroneously documented the prescriptions and dosages which led to my grandfather spending almost three weeks in bed feeling nauseous and losing what little strength he had before my aunt discovered the error.
- After a surgery in late 2017, my grandfather was having difficulty making a full recovery--he couldn't keep food down and hadn't had a bowel movement in days. The treating physician thought it was a possible bowel obstruction and nearly starved by grandfather to death for days. After getting a second opinion, Donna asked the doctor several pointed questions and requested a change of treatment which fell on deaf ears. Donna continued to advocate and appeal to the hospital board until a new doctor was assigned. As soon as treatment was changed Grampa quickly recovered.

- Donna had to repeatedly advocate against ageism and biases. Each time Grampa was in the hospital, the treating physician would see his age or see 'dementia' noted in the file and be ready to give up on treatment. Each time, Donna had to advocate for Grampa by explaining that he had a decent level of cognition before entering the hospital and that he had not yet recovered to his prior state. On multiple occasions, these lapses in cognition while in the hospital were traced back to different drug interactions.

Amidst all of these various health events, Donna continued to regularly check in with Grampa when he was having clear cognition. She'd ask him if he wanted to get better. She'd ask him if he wanted to return home to his recliner and the dogs and if so, tell him he'd need to work hard at his physical therapy to keep up his strength.

Do you know who you want to be your health care agent? And a potential back-up? Would they be able to advocate for your wishes and best interests? Would they be willing to pursue second opinions when needed or appeal to the hospital board if you weren't receiving proper treatment?

Have you taken steps to make things easier for your future health care agent? Here are some of the ways we help our clients with this:

- Our legal documents have your agent's powers spelled out within the document rather than a bunch of statutory references. Yes, it makes the documents longer, but it also makes it easier for your agent to understand their rights and powers.
- We include a memorandum to your agent explaining their role and answering frequently asked questions or issues that tend to arise for a health care agent.
- We have created a series of tools to help our clients think through and document their wishes regarding various health care issues ranging from long-term care issues, dementia directives, end-of-life decisions, and more. These tools serve as guidance to help your agent make informed decisions on your behalf.

If you don't have any health care directives in place or they're due for an update, give us a call at 919-694-4437.

Jackie Bedard is the founder and senior attorney of Carolina Family Estate Planning. When she's not washing her hands and disinfecting surfaces, she's loves reading biographies and playing board games to win against her husband Dan.





Preserving Memories: A Family Time Capsule

In 2000, the new millennium, I wanted to do something to commemorate the occasion with a family activity that culminated this year, 2020, another momentous year in modern history. At the time, our three girls were 12, 9, and 6: sixth, third and kindergarten school children. I had the idea of making a time capsule to open in the year 2020 when the kids would then be 32, 29, and 26, an unimaginable thought at the time.

The kids were enthusiastic about the proposal and began scrambling to put some of their prized possessions in the Sam's Club laundry soap bucket which served as the time capsule vessel. (I used to buy the enormous bucket for a mere 10.00!) We loaded it up with a beanie baby, photos, letters to each other, favorite pieces of clothing, toys, etc., and a questionnaire asking: What is your favorite TV show? What is your favorite movie? Where do you see yourself in 20 years? What is your one wish? Etc.

After our first grandchild was born in April, our daughter begged us to open the time capsule even though we were not together, as we had planned to open it at Thanksgiving. But, thanks to Covid, we believed our holiday plan would have most probably been for naught. Therefore, we gathered everyone on Zoom from Nashville and Atlanta and to Raleigh/Durham.



There were 8 of us on the call to include spouses and significant others. The locals had the distinct honor and pleasure to be the procurers of the oversized laundry soap bucket. On May 15, 2020, we gathered with excitement and giggles to learn what had been placed in the time capsule so long ago. There was a ton of laughter and incredulity at what had been collected and documented in 2000.

After the hour of fun and frivolity, the vote to create another time capsule passed by a landslide. A second questionnaire for all to complete was disbursed, and, to this day, the completed documents are making their way to the oversized laundry bucket for round 2, to be opened in the year 2040.

If you would like to create a time capsule and need ideas for the questions, please email me and I will send you our template for you to use. lwatral@rgcmgmt.com

Lauren Watral, MSW, CMC
Owner Raleigh Geriatric Care Management

Simple Pumpkin Pie

INGREDIENTS (8 servings)

- 2 eggs
- 1 (16 ounce) can pumpkin puree
- 1 (14 ounce) can sweetened condensed milk
- 1 teaspoon pumpkin pie spice
- 1 (9 inch) unbaked pie crust



INSTRUCTIONS

- Step 1** Preheat the oven to 425 degrees F (220 degrees C).
- Step 2** Combine eggs, pumpkin puree, sweetened condensed milk, and pumpkin pie spice in a large bowl and mix until combined.
- Step 3** Fit pie crust into a 9-inch pie dish; pour pumpkin mixture into the crust.
- Step 4** Place pie on a baking sheet and bake in the preheated oven for 15 minutes. Reduce heat to 350 degrees F (175 degrees C) and bake until filling is set, 35 to 40 minutes.

For introducing your Friends and Family to Carolina Family Estate Planning!

thank you

We're devoted to delivering first-class service. As a result, our valued clients, partners, and friends refer their friends, family, and associates to us. As our way of paying it forward, we make a charitable donation for each referral our office receives.

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Nala's Nook

This year's Halloween traditions will look different. Due to the pandemic, trick or treating might not look the same this year. Luckily we've got some alternative ideas that are just as fun—and still involve plenty of candy!



Let the kids decide what they want to be and make a big deal about dressing up on Halloween. Just because you may not be going door-to-door doesn't mean you can't show off your costumes! Have them dress up in their **Halloween Costumes** and plan a **Virtual Costume Party** so they can show their friends their new look.

Hide some candy and create a **Scavenger Hunt** around the house with clues about different locations written on orange cardstock. You can also have a few friends or family who you're comfortable spending time with and can **Station Up In Rooms Around Your House**, or even have a **Candy Graveyard**, just fill your yard with headstones, then distribute the candy in bowls by each one.



On Halloween night, set up a craft station and set them loose to create whatever they like—while in costume, of course! There are a bunch of **DIY Halloween Crafts** they can make. Starting with their **Individual Treat Bags** or maybe some homemade **Halloween Cards** they can mail to their friends from cardstock, markers, and glue. You can also **Decorate Holiday Cookies** or **Carve Pumpkins** together, just play some spooky music to set the mood, and get to work!

What do you think about dressing up in costume on Halloween night and having a **Dinner Party** at home? You can host a small gathering with those in your household or friends you feel comfortable inviting over for a **Micro Party**. You can light up the backyard fire pit and gather around it, tell ghost stories and enjoy candy together, or have a **Movie or Game Night**, Halloween themed of course!



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Children's Safeguard Planning
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Trust Administration

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What's New at Carolina Family Estate Planning?

- Welcome Wes Ehmig as our Firm Administrator! Wes comes with excellent leadership experience and will be managing our team and day-to-day operations to make sure our office runs smoothly and we continue to provide a first-class client experience. Welcome to the team, Wes!



- Sarah and Conor (finally) got married in September! Due to the pandemic, they had to re-plan their wedding several times, but one thing is sure and that's the couple is happily starting their new life as husband and wife. Congratulations Sarah and Conor Westphal!