

**Richard A. Courtney, CELA**  
**Certified Elder Law Attorney**  
**4400 Old Canton Road, Suite 220**  
**Jackson, Mississippi 39211**  
**601-987-3000 or 1-866-ELDERLAW**  
**For more Articles, go to: [www.elderlawms.com](http://www.elderlawms.com)**

## **Life-Care Planning Helps Older Clients Maintain Sense of Dignity**

"The traditional method of delivering services of health care to the elderly has been focused on acute care when people begin to have a great decline in their health and eventually have to go to hospitals and nursing homes," says Tim Takacs, a friend and elder law attorney in Hendersonville, Tennessee. Mr. Takacs' observation identifies a needed change in the process of planning for the elderly and caused him to develop a new model for an elder law practice known as Life Care Planning. The Frascogna Courtney Elder Law Group now employs this approach.

## **Traditional "Medicaid Planning" Falls Short on Meeting Client Needs**

Traditionally, the focus of elder law has been largely on acute care, including advance directives to physicians and durable powers of attorney for health care and finances, as well as estate planning designed to qualify the elder for Medicaid benefits to help pay for nursing home care. Often, an attorney would prepare a deed of the older person's property to their children to reduce their assets for Medicaid eligibility and possibly re-do the spouse's will, then close the file. (Note: Under new Medicaid laws, these actions often create more problems than solutions.) After the Medicaid-planning process is complete, the elder and his/her family are essentially left on their own. This traditional approach is by no means obsolete and probably never will be completely. But with longer life expectancies, the growing elder population and new Medicaid laws that make eligibility planning more complex, there is an increasing need for life-care planning.

## **Life-Care Planning Approach Serves Needs of Elder and Caregivers**

Life-care planning has many advantages over the traditional acute-care method. Perhaps its greatest advantage is its multi-disciplinary approach to care planning. Our Life-Care Planning process involves a team of professionals, including the elder law attorneys, certified elder-care coordinator, medical professionals, social workers, and various support staff. This interdisciplinary team evaluates the elder's current and future needs, the costs of those needs, available resources, and access to resources. Our team of professionals also identify methods of financing the care that is or will be needed, and they provide assistance with appropriate placement as well as ongoing monitoring, re-evaluation and advocacy on behalf of the older person when needed. In other words, the elder and his/her family members are not left alone to fend for themselves after the estate-planning process is complete. The total cost of all these on-going services is usually equivalent to one or two months of nursing home care.

## **Advantages of Life-Care Planning Approach**

The life-care method fortifies the elder's personal sense of dignity, independence, and worth by offering the least restrictive care option. For example, the elder is encouraged to remain in his/her own home for as long as possible, thus preventing inappropriate institutional placement. But when it is no longer safe for the elder to live independently, the team is available to assist the elder and his/her family with the transition to a more restrictive living arrangement. By extension, the life-care technique can be applied with equal success to those individuals who are not elderly but who are living with disabilities.

Another advantage of the life-care approach is timing. Our interdisciplinary team can become involved long before the individual's situation reaches crisis proportions. For example, the life-care team will usually intervene after some trigger event, such as a mild stroke, a fall, or a diagnosis of the early stages of Alzheimer's disease. Under the traditional approach, the elder law attorney is often contacted only when nursing home placement becomes imminent and less restrictive options are no longer appropriate. With early intervention, the probability of preserving some measure of the elder's independence – and the health of the caregivers – is much greater.

We believe the life-care approach to be the way of the future in planning for the care of the elderly and severely disabled, and we have welcomed this change. The elderly or disabled person is better served, and the professional team members take satisfaction in their ongoing relationship with their client and his/her family. At the same time, we recognize that life-care planning is not for everyone. Those whose functional impairment is so great as to require immediate long-term-care placement may not benefit from this technique. We can assist those persons with crisis intervention planning.

**So, if you or a loved one is aging, or if a family member has suffered some trigger event, you should contact our office at 866-ELDERLAW (353-3752) and ask if life-care planning is appropriate for you.**