



Planning for Incapacitation

Early planning is important for many reasons. First, it allows an individual to be involved and express their desires for future medical care and important decisions. Next, it will allow an incapacitated person to designate a person (or persons) to make these decisions on his or her behalf. Finally, planning early allows time to work through legal and financial issues that are complex in nature.

Below is a checklist to help you navigate through this process. If you have any questions, please feel free to call our office at 845-331-3600.

Important Documents to Locate –

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| <input type="checkbox"/> Titles and deeds | <input type="checkbox"/> Health Insurance policies or benefit cards |
| <input type="checkbox"/> Beneficiary designations | <input type="checkbox"/> Life Insurance |
| <input type="checkbox"/> Trust documents | <input type="checkbox"/> Long-term care insurance |
| <input type="checkbox"/> Power of attorney | <input type="checkbox"/> Medicare card |
| <input type="checkbox"/> Healthcare proxy | <input type="checkbox"/> Medigap (Medicare supplemental) |
| <input type="checkbox"/> Will | <input type="checkbox"/> Bank/brokerage accounts |
| <input type="checkbox"/> Living will / medical directives | <input type="checkbox"/> Vehicle registration / Title |
| <input type="checkbox"/> Birth certificate | <input type="checkbox"/> Marriage license |
| <input type="checkbox"/> Passport | <input type="checkbox"/> Social Security card |
| <input type="checkbox"/> State ID / driver's license | <input type="checkbox"/> Recent tax returns |
| <input type="checkbox"/> Pre-paid funeral arrangements | <input type="checkbox"/> Admission agreements to health care facilities |
| <input type="checkbox"/> Names, addresses and phone numbers of key personnel involved (family, caregivers, lawyers, accountants, financial consultants, etc... | |

Update Your Estate Plan – Ensure you have a complete picture of your loved one's assets, how they are managed and their estimated value. When working with an attorney:

- Ensure you update existing wills, healthcare proxies, trusts, and beneficiary designations.
- Bring important documents listed above along with an estimate of the current market value, who is listed as the owner, and who is the beneficiary.
- More on legal planning: [Legal Planning](#)

Identify Income Sources – In addition to locating paper statements, it is critical to know all account logins and passwords.

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| <input type="checkbox"/> Employment Income | <input type="checkbox"/> Social Security Disability Income (SSI) |
| <input type="checkbox"/> Pensions | <input type="checkbox"/> Retirement accounts (IRA, 401K, etc...) |
| <input type="checkbox"/> Veteran's Benefits | <input type="checkbox"/> Reverse mortgages |
| <input type="checkbox"/> Annuities | <input type="checkbox"/> Other income (Rental property, Loans) |
| <input type="checkbox"/> Social Security | <input type="checkbox"/> Businesses (Partnerships, Corporations) |

Identify Resources – Where can you find outside assistance?

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|--|--|
| <input type="checkbox"/> Dementia Today | <input type="checkbox"/> AARP |
| <input type="checkbox"/> NYS Office of the Aging | <input type="checkbox"/> Alzheimer's Association |
| <input type="checkbox"/> US Department of Veterans Affairs | <input type="checkbox"/> In Home Caregivers |
| <input type="checkbox"/> National Institute on Aging | <input type="checkbox"/> Private Facilities |

Learn Their Future Intentions – It is important to understand your loved one's wishes and desires and how to ensure they are carried out.

- Who will be the agent, or power of attorney, to make decisions when he or she is no longer able?
- As the disease progresses, where do they want to live (assisted living, nursing home, etc...)? Understand what their insurance covers.
- If not already done, work with an elder law attorney to create a power of attorney for both finances and health care. Create an advance directive regarding end-of-life decisions.
- Letter of instruction for funeral arrangements.

Ensure Financial Obligations are Met – Ensure bills are paid on time and finances are properly managed.

- If you are appointed as durable power of attorney, ensure you are authorized to speak with their financial professional.
- If you are NOT appointed as durable power of attorney, or do not wish to have that responsibility, ensure a trusted person who knows what it means to be a fiduciary serves in this role. A fiduciary is legally bound to place the interests of the person in need ahead of their own.
- Consider working with a daily money management service
- Consider utilizing the Social Security Representative Payment Program

Discuss Care Management – Determine best way to finance your loved one's care.

- Determine whether home modifications are necessary for a loved one who wishes to stay in their residence as long as necessary.
- Work with a geriatric care manager
- Seek help from other community services (i.e. Means on Wheels, VA).
- Stay alert to abuse - abnormalities or unusual visitors.
- If necessary, register with [MedicAlert Safe Return](#) program.