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ALZHEIMER'S LESSER KNOWN DEVASTATION IS YOUR FAMILY POISED TO AVOID IT?

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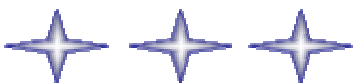
With the incidence of Alzheimer's disease growing at an alarming rate, no one can afford to postpone long term care planning. The June 18, 2007, issue of *Newsweek* as well as the June edition of *AARP Bulletin* both report that Alzheimer's currently afflicts over 5 million Americans, and the numbers are expected to rise dramatically, especially as millions of baby boomers are reaching their 60s. According to the recent *AARP Bulletin*, one in eight people 65 and older currently has Alzheimer's, and half of those 85 and over are afflicted with it. While scientists search for drugs to prevent and remove deposits of plaque in the brain and Congress considers legislation to double funding for Alzheimer's research, families must work to protect themselves.

Alzheimer's takes a tremendous emotional, physical, and financial toll on families who must contend with it. The disease can last many years, and its course is unsteady and varies with each case. Caring for an Alzheimer's victim is also a round-the-clock job. Our office has worked with many individuals caring for a relative prone to wandering at any time of the day or night. The caregiver must tend to both the physical needs of the Alzheimer's patient and his or her safety. Many caregivers intend to keep their loved one at home, but once the disease has substantially progressed and the afflicted individual exhibits erratic behavior and physical problems, a long-term care facility becomes the only viable option. Otherwise, the burdens of providing care eventually would cause the caregiver's own health to diminish.

Because an individual with Alzheimer's eventually does not recognize his or her closest relatives and may even be subject to bouts of yelling or violent behavior, the disease puts enormous strains on family relations. Relationships between siblings are strained as well as relationships between parents and their children. Having worked with families who are contending with Alzheimer's disease for many years, our firm has assisted in many situations where one son or daughter is shouldering the burden of caring for an elderly parent while having to address criticisms by other siblings who do not appreciate the severity of their parent's condition. Sibling relationships often deteriorate when it becomes necessary to hire care providers outside the family. Today, nursing homes charge over \$8,000 per month in our area and even home care runs a few thousand dollars a month. Often, the siblings who are not providing care wish to avoid these expenses to preserve a potential inheritance. Contrary to popular misconception, Medicare only covers extremely limited long-term care expenses. Even a home health aide can cost over \$20 an hour. Siblings who are not the primary caretakers are best advised to witness the everyday limitations of their parent first-hand and to support their sibling who is the primary caretaker by providing short term respite care or help with errands.

According to the recent *Newsweek* article, the number of Alzheimer's cases is expected to more than double by the year 2050. In light of this chilling prediction, all individuals must have their estate planning documents in order. These include a Will, Advanced Directive for Health Care, and General Durable Power of Attorney. It is equally critical that family members communicate with one another to discuss health care wishes as well as financial issues and whether long-term care insurance policies are in place. When interviewed by *Newsweek*, Mark Shalloway, president of the National Academy of Elder Law Attorneys, explained the necessity of a General Durable Power of Attorney by stating that even after a catastrophic illness occurs, routine financial and legal decisions must continue to be made with banks, doctors, etc. For those who are concerned that entrusting others with their financial affairs is risky, the law requires agents under powers of attorney to act in good faith. Otherwise, they may be subject to court proceedings.

Families who are engaging in asset protection planning already know that Medicare cannot be counted on for long term care expenses. They understand that affording assisted living or nursing facilities, home care, or continuing care retirement facilities requires advanced planning. Though scientists are now hopeful that the next generation of Alzheimer's drugs currently under testing will be more effective than previous treatments, our current health care system demands that each of us takes responsibility for our own care in our later years. Proactive legal planning brings the astronomical cost of this care within reach for families of diverse financial means. For those who seek counsel, family finances and relationships are much healthier.



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Speakers

If you are interested in having an Elder & Disabilities Law Attorney from Begley & Bookbinder speak at an event, please contact Colleen Caruso at (856) 787-4237.

Begley & Bookbinder

Begley & Bookbinder, P.C. is an Elder & Disability Law Firm with offices in Moorestown, Stone Harbor and Lawrenceville, New Jersey and Oxford Valley, Pennsylvania and can be contacted at 800-533-7227. The firm services southern and central New Jersey and eastern Pennsylvania.

The Firm provides services in connection with protecting assets from nursing home costs, Medicaid applications, Estate Planning and Estate Administration, Special Needs Planning and Guardianships. If you have a legal problem in one of these areas of law, contact Begley & Bookbinder at 800-533-7227.

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