



Becoming the Caregiver

I found myself making a doctor's appointment for my mother-in-law this week. She moved in with us about three weeks ago and it has been startling to learn that she isn't as healthy as we believed. The phone has provided her a disguise.

Our office serves so many families who chip in to provide daily care for their loved ones. That care includes help with dressing and bathing, meal preparation, transportation, managing their finances, and more. Sometimes we meet families who have gone through medical training for the sole purpose of being able to provide more complex care like wound care or injections. When it comes to the needs of their loved ones, our clients' family members are often willing to embrace big responsibilities out of love and affection. The surprise is that so many of these loved ones don't consider themselves a "caregiver".

As I walked through the steps to setup this appointment - completing the new patient forms, providing insurance information, having medical records transferred from her prior physician, scheduling transportation, and being patient through the hold music - I couldn't help but think to myself, 'is this how it begins for our clients and their families?' 'Is this similar to other unrecognizable milestones marking when a loved one becomes a caregiver?'

AARP tracks Long-Term Services and Supports through state-by-state scorecards. The report, "Picking Up the Pace of Change: A State Scorecard on Long-Term Services and Supports for Older Adults, People with Physical Disabilities, and Family Caregivers", evaluates five areas of care: affordability and access, choice of setting and provider, quality of life and care, support for

family caregivers, and effective transitions between nursing homes, hospitals and homes. Among other concerning rankings, Delaware ranks 25th nationwide for the support it provides for family caregivers.

The Genworth Cost of Care report shares that long-term care costs are staggering. Skilled nursing facility costs average \$12,500 per month. Genworth estimates that the average cost of in-home care, based on a forty-hour week, is \$5,300 a month.

**WHILE A CLIENT STILL OWNS ASSETS, IT'S
NEVER TOO EARLY, AND NEVER TOO LATE
TO PUT A PLAN IN PLACE.**

With such significant costs it is not surprising that unpaid family caregivers provide the bulk of care for older Delawareans. It seems logical that even when a family recognizes a need for more than family support, at the rates above, even families with comfortable savings become nervous about the cost, so they choose to continue making ends meet within the family support system. AARP estimates that more than 124,000 Delaware residents help their aging spouses, parents, and other loved ones with assistance so that they can maintain their goal of staying at home. The value of this

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Continued from previous page...

unpaid care totals well over one million dollars.

How can our older adults find the long-term care resources they need, and implement the care when needed instead of delaying care out of financial fear? How can our family caregivers recognize themselves in their role as caregiver and find the support they need?

One tool is legal planning. Elder Law, specifically asset protection planning, is designed to help families recognize long-term care needs and costs, and then identify all payor sources available to cover those costs.

A payor source is simply a benefit that will either provide, or financially cover, long-term care needs. There are several. When payor sources are added to a family's financial plan to afford long-term care the results include relieving some of the financial burden and providing some respite for the family caregiver.

Our firm's favorite illustration for explaining asset protection planning is a pyramid that is broken into three parts. The bottom of the pyramid represents pre-planning where 100% of assets that are planned with in advance can be sheltered. The middle represents intermediate planning allowing 65-80% of assets to be sheltered and the top of the pyramid reflects crisis planning cases where we still feel confident about sheltering about 50% of a client's assets.

For healthy seniors, or families supporting them, pre-planning is recommended when they don't expect to need long-term care within the next five years. Tools like the Irrevocable Asset Protection Trust protects some of

the clients assets from the possibility of needing long-term care in the future.

For seniors who do not currently need long-term care, but suspect they may need it within the next five years, we provide guidance through intermediate planning using unique tools like caregiver agreements. The agreement could allow a legal exchange of funds for care provided, like dressing, bathing, meal preparation, transportation, financial management, etc. Several caregivers hesitate at this arrangement because the care they are providing is out of love, but it's a permissible strategy to begin the process of sheltering assets.

When the client has a current need for care at home, or in a facility, they could benefit from crisis planning. This approach presents strategies to immediately shelter assets to become eligible for long-term care payor sources. While a client still has assets, it's never too early, and never too late to plan for the costs of long term care.

No matter the timing, the first the goal of asset protection planning is ensuring a payment for needed services. Secondary goals include preserving a nest egg for the rest of the client's life, avoiding probate, and leaving a legacy.

Does my experience scheduling a new doctor's appointment sound like a joke compared to the care you are regularly providing? If you're caring for an aging adult, we can help.

A note from the attorneys...

The stages of a relationship are the same whether it's personal or professional: you date, you commit, and then you work. We've been business partners for 10 years and couldn't be more proud of our longevity. Our spark is still burning bright and we're so thankful to have a community of people supporting us.

Michele & Owen

TIME OUT — STAFF PROFILE

Danielle M. Marvel

Elder Law Department Manager



ON THE CLOCK: Danielle is a 2002 graduate of Indian River High School and studied Business Administration at Delaware Tech. At 14 she took a part time job as a Front Desk Clerk at an Ocean City hotel beginning her career in the hotel industry. In 2008 Danielle accepted a Human Resources position with a local long term care facility and 6 months later transferred to their Business Office. A large part of her role as Business Office Manager was helping residents apply and get approved for Long Term Care Medicaid. Her knowledge of the health care industry and Long Term Care Medicaid Program allows Danielle to continue to fulfill her passion for helping others as our Elder Law Department Manager. We've enjoyed every minute of her five years with our team.

OFF THE CLOCK: Outside the office you will most likely find Danielle at the beach, on the boat with her husband and pup Lainey, or at a local dirt track.

UPCOMING EVENTS

- | | |
|-----------|---|
| 17
Jan | Elder Law Workshop
5:30 - 7:00 p.m.
Lewes Senior Center |
| 1
Mar | CARES Member Exclusive Off The Clock
11:00 a.m.
via GoToWebinar |

LEGAL MUMBO JUMBO

Legal Language in Layman's Terms

COMMUNITY PROPERTY

Delaware is not a community property state. This means that a judge decides on an equitable division of marital property in the event of divorce if the parties cannot agree.

BELLA'S BRIEF

The Office from a Dog's Perspective



The holidays are over and it's not a minute too soon if you ask me. The stress of preparation, gathering, and gifting is palpable, unless you're a dog. Dogs get to sit back and watch it all unfold. From mom warning everyone in the household to not mention religion or politics over dinner, to a superficial conversation about crowded highways spiraling out of control when dad said he wished we still had Borders. I thought someone choked on a bone because the room went still for a nano-second then exploded with voices and clattering dishes. Once the volume level returned to normal, grandma decided to quip, "Joe is too old to be going shirtless on our beaches." Point grandma.

That's when the in-laws grabbed the eggnog and brandy, the cousins started hitting the brownie tray (which they brought), and poor dad who innocently, or at least I think it was innocently, started the whole ruckus by mentioning a bookstore that no longer exists, just sat there with the look that most men get when tasked with ordering at the Starbuck's drive thru. He wouldn't even make eye contact with mom. That didn't prevent her from giving the rest of her crew "the look" while simultaneously trying to confiscate the brownies because the ingredients might be a little too organic for the occasion.

Although we can't choose the family we are born into, we can love the one we have. I imagine sometimes what the world would look like if people treated one another like they treated their furry friends: little quirks accepted as ordinary; occasional acts of rebellion overlooked or quickly forgiven; and basic consideration gifted in advance of a request or demand.

Here's to a new year of being loyal to who matters most, family.

xoxo Bella 

PWW FRIDGE-WORTHY

A Career as Property Masters

Long before we met Steve and Lorrie Walker as clients, they were building intriguing careers for themselves as Property Masters in and around Baltimore, MD. Their careers began in the early 1980s and allowed them to travel the country and meet many interesting people.

The job of a Property Master is to provide any prop written within a movie or television script. A prop is any item a principal actor holds or uses during a scene, and also items held or used by actors in background activities. The job begins by doing a breakdown - studying the script and then, scene by scene, listing all of the scripted props and submitting a budget. In addition to what is scripted, the Propmaster has the fun of dreaming up more background activities that might enhance the story - such as people performing everyday activities that are appropriate for the time period - an example being children riding in dog drawn carts and playing with period toys in an 1850s movie.

The Walkers worked on *The West Wing*, an American political drama television series. The cameras, flashes, recorders, and microphones that the news crews used throughout scenes in that show illustrate the complexities of a modern day scene's background activities that were among their responsibilities.

The Property Master is also responsible for a character's continuity. Notice how in one scene of a movie you're watching a character as they enter an office building with a purse on their right shoulder, a Starbucks coffee cup with red lipstick on the rim in their left hand. The filming of that person coming into their office inside the building might not take place until weeks later. It's the Property Master who ensures that the character's props are exactly the same in that next scene, down to having the coffee cup in the correct hand.

For the majority of their careers, the Walkers kept track of these kinds of details by taking Polaroid pictures. They would carefully document the scene, take, date, etc. on the photo, quickly building stacks of images, and then hole-punch and string them onto keyrings. They could then flip through these rings for reference during the months long filming process as scenes needed to be completed or recreated for retakes.



You might be guessing that the job of a Property Master includes lots of shopping. The Walkers especially enjoyed the scavenger-like hunt of finding the vintage props while they were working on period films. They fondly recall spending hours and hours in antique malls looking for the perfect props - and getting paid for spending other people's money - the best and most fun job ever!

Cell phone cameras supported them towards the end of their careers, as did computers for searching and shopping - but the memories of how they did it in the early days are their favorite ones.

The Walkers' resume is long and includes the movies Polyester, Hairspray, That Night, Clara's Heart, Her Alibi, Homicide, Silent Fall, Washington Square, Pecker, Liberty Heights, Tuck Everlasting, Step Up, Swimmers, and My One and Only. They also worked on music videos for Mary Chapin Carpenter, Hootie & The Blowfish, Roberta Flack, and Tina Turner.

Steve and Lorrie are retired, currently residing in Lewes, and enjoying the slower pace of life. They've kept their love of a scavenger hunt alive - finding a town clock for Lewes - and their artistic creativity remains active. This past year they dried flowers from their gardens all year long to decorate their 2023 Christmas tree. Their beautiful tree was featured during the 50th Annual Holiday House Tour of Lewes.



OFF THE CLOCK

We would like to thank our featured referrer of the month:



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