

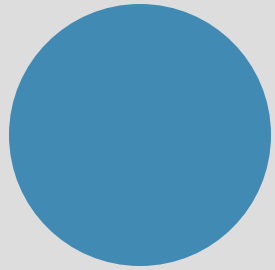
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TIPS FOR  
SOLO AGERS:

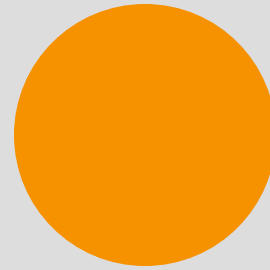
LESS RESTRICTIVE  
OPTIONS TO  
GUARDIANSHIP



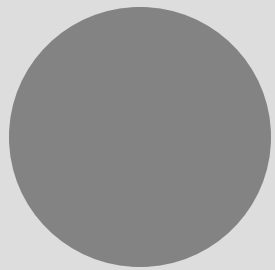
## WHERE TO BEGIN?



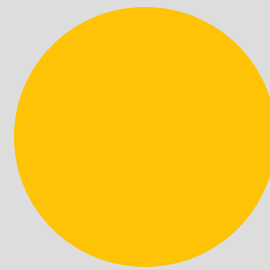
What matters most?



Who / What is important to you?



Who do you Trust?



Do you have a plan?

## DECISION MAKING OPTIONS

### Health/Personal Decision-Making

- **Health Care and Personal Decision Supports** Family and community supports to help an adult to live as independently as possible, and to make personal and health choices.
- **Aging life care professionals (geriatric care managers)** can locate and arrange for support services.
- **Advance Directive** a legal document called an advance directive to appoint someone to make health care decisions
- **Physician Orders for Scope of Treatment (POST)** following a discussion between patient and physician regarding treatment options for end-of-life care, the physician records the patient's wishes on a medical order form called a POST, which is then signed by the physician and the patient.
- **Durable medical power of attorney** authorizes the appointed person to make medical decisions and receive information on behalf of the individual.

### Option of Last Resort

- **Guardian** is a person appointed by the court who is responsible for the personal affairs of an incapacitated person.

## DECISION MAKING OPTIONS

### Financial Decision Making

- **Informal Financial Decision Supports**
- **Authorized Signers**
- **Joint accounts**
- **Financial advisers** help navigate complicated money matters, such as managing assets to pay for care.
- **Financial power of attorney** authorizes the appointed person to make financial decisions.
- **Representative Payee** is an option if an individual is receiving Social Security Benefits only. Requires a documented or voluntary admission of inability to manage benefits, designation by a medical professional's recommendation and determination by Social Security Administration.

### Option of Last Resort

- **Conservator** is a person appointed by the court who is responsible for managing the estate and financial affairs of an incapacitated person.


# GETTING YOUR AFFAIRS IN ORDER

- **Create documents** that communicate **healthcare, financial management, and end of life** wishes for yourself and the people you care for, with legal advice as needed.
- **Put important papers in one place.** Make sure a trusted family member or friend knows the location and any instructions.
- **Make copies of healthcare directives** to be placed in all medical files, including information on every doctor seen.
- **Give permission** in advance for a doctor or lawyer to talk directly with a caregiver as needed.
- **Reduce anxiety** about funeral and burial arrangements by advanced planning.

<https://www.nia.nih.gov/health/caregiving/advance-care-planning> to learn more about advance care planning.

# HOW ELDER LAW ATTORNEYS CAN HELP

- Elder law attorneys help with estate issues, advance directives and guardianships.
- Develop a plan for long-term care
- Creating estate plans and wills
- Substitute decision makers
- Access to Veterans benefits, Medicaid and other benefit programs
- Protecting assets
- Setting up a living trust
- Arranging for home and community-based services (care managers)



## CHOOSING AN ELDER LAW ATTORNEY

Attorneys may draft planning documents, and may serve as agents under powers of attorney, as trustees, or as guardians.

- National Elder Law Foundation, <https://nelf.org/search/custom.asp?id=5427>
- National Academy of Elder Law Attorneys, [https://www.naela.org/Web/Consumers\\_Tab/Consumer\\_Resources/Find\\_Lawyer.aspx](https://www.naela.org/Web/Consumers_Tab/Consumer_Resources/Find_Lawyer.aspx)
- Virginia Elder Law Attorneys (VAELA), [VAfal \(naela.org\)](http://VAfal.naela.org), find a lawyer
- Virginia State Bar, <https://vlrs.community.lawyer/>
- Legal Services of Northern Virginia, [www.lsnv.org](http://www.lsnv.org)

# LEGAL SERVICES OF NORTHERN VIRGINIA (LSNV)

- **Advance Directives:** Wills, Durable Powers of Attorney, Medical Powers of Attorney and Living Wills (on a limited basis).
- **Long Term Care:** Contract, quality of care, and discharge issues in Nursing Homes and Assisted Living;
- **Social Security and Disability Benefits:** Eligibility and overpayment issues and SSI disability eligibility;
- **Public Benefits:** Medicaid, SNAP (Food stamps), real estate tax exemption, auxiliary grants and other benefit issues;
- **Debt Collection:** Defense of debt collection cases, including garnishment and medical debt collection;
- **Elder Abuse:** Obtaining Protective Orders for individuals 60 and older;
- **Identify theft:** Cases involving financial exploitation of seniors;





## TIPS FOR SOLO AGERS

Learn about resources, services and supports in your community

Connect with your local Agency on Aging (AAA)

Seek out opportunities for meaningful engagement (faith communities, civic associations, volunteering)

Develop relationships of trust through ANV and the Village network!



## RED FLAGS: WHAT TO DO

Report locally to 703-228-1700  
(ask for the APS worker)

Report to the state toll-free  
hotline at 1-888-832-3858

- **Access and Environmental Concerns:** not able to or not accepting visitors, changes in routine or home appearance, unsafe environment,, unhealthy relationships
- **Physical Concerns:** decline in personal appearance or mobility, weight loss, untreated medical conditions, observed physical, cognitive or mental decline, limited food in the home
- **Emotional Concerns:** fearful, intimidated or afraid of caregiver, tearful, depressed
- **Financial Concerns:** not knowing where their income is or how bills are paid, bills are not being paid, outside parties dependent on income

### Abuse, Neglect and Exploitation

- **Physical Abuse:** the intentional infliction of pain or injury.
- **Mental or Psychological Abuse:** the intentional infliction of mental anguish by verbal assault, threat, intimidation, humiliation, or other means
- **Sexual Abuse:** unwanted sexual activity
- **Neglect:** not providing services necessary to maintain the adult's physical and mental health
- **Self-Neglect:** the failure to provide oneself with the necessities of life, such as food, clothing, shelter, needed medical care, and reasonable financial management.
- **Financial Exploitation** – the illegal, unauthorized, improper, or fraudulent use of an adult's funds, property, benefits, resources, or other assets for another profit, benefit or advantage.



NATIONAL &  
STATE RESOURCES

- Positive Aging Source Book Guide, <https://www.retirementlivingsourcebook.com/>
- Iona “Aging Solo” curriculum, <https://www.iona.org/services/take-charge-age-well-academy/agingsolo/>
- Aging Solo Together, <http://agingsolo.com/>
- National Center on Law and Elder Rights, <https://ncler.acl.gov/>
- Aging Services: DARS Office for Aging Services, Division of Community Living
- Legal Decision-Making Options: ([Options in Virginia to Help Another Person Make Decisions: Choices Less Restrictive Than Guardianship and Conservatorship \(vacourts.gov\)](#))
- Last Resort: Public / Private Pay Guardianship programs, [Public Guardianship Programs](#).

- Arlington Aging and Disability Services (ADSD) / Agency on Aging (AAA)  
<https://www.arlingtonva.us/Government/Departments/DHS/Aging-Disability> or call 703-228-1700
- Volunteer Guardianship
- Legal Services of Northern Virginia, [www.lsnv.org](http://www.lsnv.org)
- Virginia WINGS (Working Interdisciplinary Network of Guardianship Stakeholders)
- The Arc of Northern Virginia serves as **public guardians** for a limited number of individuals who are impoverished and have no family or loved ones who can serve as their guardian.
- The Guardianship of Last Resort (GOLR) program is contracted with the Department of Aging and Rehabilitative Services (DARS). Guardianship Checklist for those considering Guardianship. [Thinking about Guardianship checklist](#)
- Coalition to Improve Advanced Care, [CIAC – Coalition to Improve Advanced Care \(ciacarlington.org\)](http://ciacarlington.org)



## LOCAL RESOURCES



QUESTIONS