



Be Prepared as Your Loved Ones Age



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With continuing advances in medicine, nutrition, and wellness, people are living longer but the reality is that the aging process has its own challenges. Whatever assistance your loved ones need in their senior years, the law entitles them to live in a safe environment and receive competent care.

As a Nursing Home Negligence lawyer, I advocate for people who have been abused or neglected in healthcare facilities. I have additional personal experience on this topic. A graduate of St. Francis Hospital's Nursing School, my mom devoted her nursing career to caring for terminally ill people in healthcare facilities and at home on hospice. She always felt her life's purpose to be helping people at life's end maintain the best quality of life with dignity and families navigate the loss of their loved ones. Unfortunately, my mom now suffers with Alzheimer's Dementia.

Aging may bring impaired movement, balance, speech, appetite, or cognitive function. While some seniors can live independently or with home care, others need more nursing care. No one knows what the future holds but when it comes to the safety and respect of our beloved seniors, we should hope for the best, prepare for the worst and reach out for help. There are remarkable professionals in our community, like my mom, who love to help others.

1. Have "The Talk"

Talk about aging with your loved ones. No one wants to feel old, lose their independence or feel like a burden on their children. Making future healthcare and financial decisions allows one to maintain independence and prepare for their future. With your loved ones, discuss issues that may arise with age such as health decline, living arrangements, safety concerns such as driving, estate planning, a will, a living will, and long-term care insurance.

2. Get Your Documents Together

A Power of Attorney is a very important legal document that appoints a person or persons to act on your behalf. If you become unable to make decisions without this in place, medical and financial decision making on your behalf could be frozen and guardianship proceedings become necessary. This can be expensive and stressful.

A will expresses how you want your affairs handled after death. Even if you have no assets, you should have a will to identify the beneficiaries of your estate and appoint an executor to manage your affairs. When I represent the family of a deceased person who was neglected or abused in a medical facility, legal action is brought on behalf of and for the benefit of the estate by the executor named in the will. Without a will, state intestacy laws govern and may include unwanted beneficiaries, added paperwork and costs.

3. Monitor the Health and Safety of Your Loved One

Some parents resist their children monitoring their health and safety. My mother has reminded me that she is the parent.... I took my cue but still monitored. It is impossible to specify when professional help is needed as every situation is different, but help may be needed if there are safety con-

cerns, falls, unexplained injuries, weight loss, medication changes or increasing difficulty with activities of daily life.

4. Research

Many factors may call for help at home or inpatient rehabilitation. Nursing homes or assisted living facilities (ALFs) sometimes become necessary when someone's living environment is unsafe. Some seniors benefit from spending time at a Senior Care Center.

ALFs can be costly but have independent living options as well as various levels of assistance as the resident's care needs increase. A caveat with ALFs is they sometimes keep a resident who needs a higher level of care than the facility can provide, so changes in condition and decline with ageing must be closely monitored to prevent serious injuries. Nursing homes, presumably, provide a higher level

of care and usually offer short term rehabilitation as well as longer-term care.

Visit the facilities and look beyond the fancy entrance and well-designed website. It is the people in the facility that have the biggest impact on your loved one's experience. Research the staffing ratios. Talk to residents and visitors. Seek referrals from friends, co-workers, family doctors, other medical providers, elder care coordinators, elder law attorneys, support groups, and organizations such as the Alzheimer's Association.

The admission paperwork is a contract, so read it carefully. Ask questions or contact an experienced attorney to review the documents. Be aware of payment guarantees, services promised and "Arbitration Clauses" which can be, and should be, declined.

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