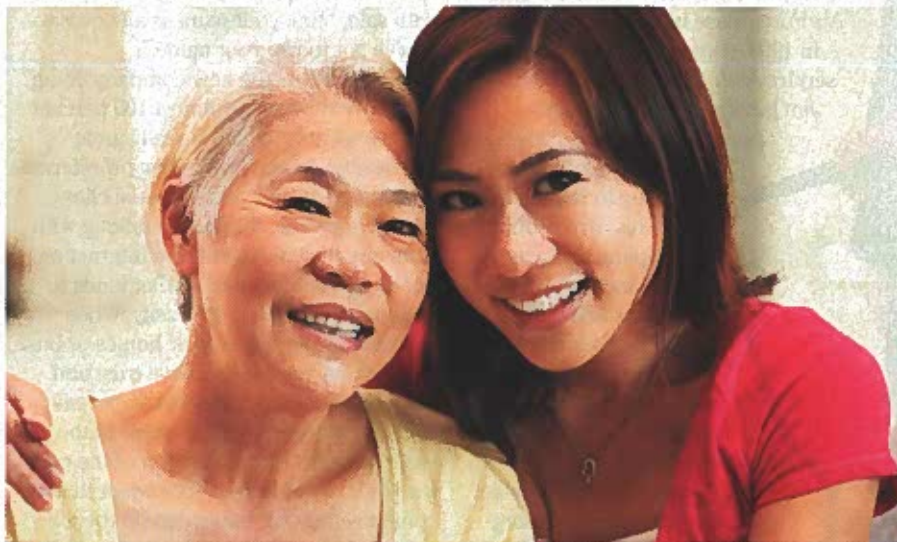




The Talk

WHAT TO SAY WHEN YOU NEED TO PLAN FOR YOUR PARENTS' FUTURES

By Kristen De Deyn Kirk



Seeing the caregiver role between parent and child reversed can make your stomach flip, your heart ache, and your mouth close: You're a bit scared about the future, worried about how to help, and unsure of what to say. You have so many questions about the sensitive questions you should be asking:

When do you say something to your parents about the years to come?

How?

And what exactly do you discuss?

Andy Hook, an attorney with Hook Law Center in Virginia Beach and Suffolk, and Bart Barton, an attorney with Mulkey, Reid and Barton in Newport News, have talked with many people who have been through "the conversation," and they've seen that it's possible to broach the subject appropriately, positively and thoroughly—with a slow and steady process:

When to talk

"The conversation sometimes happens when the parents are in their mid-70s," says Hook. "You don't have to wait that long, though. Most parents are very active these days and seem younger, so you might find yourself waiting until some kind of deficit becomes obvious."

If at all possible, start talking before then—even though the "then" is so hard to determine.

A holiday gathering might inspire the talk. Adult children are often scattered across the county or even the world—and there might be two or three sets of children—Dad's from a first marriage, Mom's from a first marriage and both Dad and Mom's from their marriage to each other. Talk with all the adult children first, via phone, and decide on who can start the conversation in person—and how the

other children might join in.

If a family gathering is never possible, some children can join in by phone.

What to say

Respect that older parents are private and not used to sharing as much as those born in the '60s and later. Talking about money is a no-no for them, and they are proud of being able to take care of themselves. For that reason, you might want to assume the best.

"You can say 'we're all getting older and we're wondering what plans you've made for the future,'" suggests Barton. "They may reassure you that they've already thought through their decisions and put the money aside."

You'll want to think of the conversation as the first of several, instead of something you do once and check off your list. For this initial conversation, you want to share your concerns and determine where your parents stand in the planning process.

"Picture a three-legged stool when you're considering life planning," says Barton. "The first leg is estate planning—your documents such as a will, HIPAA waiver, and power of attorney. The second is long-term care possibilities and the third, life care planning."

What legs have your parents thought about and planned for? Have they met with a lawyer and had documents prepared? Thought about the possibilities for long-term care and the required money? Is life care planning on their radar screen? In other words, do they know what they would want for care if they suffered a stroke or a broken hip?

If many of these elements remain undecided, do not panic or push for immediate answers. Propose a meeting with an



Editor's Note: Advice on Eldercare is a yearlong series of articles dealing with caring for aging parents and relatives.

attorney who concentrates on elder care planning and offer to join the meetings if your parents would like.

What to discuss

One of the terms you've probably heard is power of attorney. This document appoints someone as your agent to transact your personal and business affairs for you.

"You're giving that person huge grants of authority," cautions Hook. "Proceed with caution. You want to give instructions and limitations."

Parents should decide if one child can make decisions alone, or if two are required, or if one can make a decision but must keep others informed. You'll also want to consider if that one person can grant gifts.

A document can be found online and signed, but it most likely will not address many specifics. To protect everyone involved, talk with an attorney. The advice and preparation of the paperwork will cost between \$200 and \$500 on average in Virginia.

A medical power of attorney is also possible, yet you might want a HIPAA waiver as well. HIPAA is a federal law that covers many aspects of privacy in healthcare, and prevents medical providers from sharing any details unless privacy rights are relinquished. If your parents

arrange for a HIPAA waiver, you can speak with their doctors and other providers and check on bills and payments at any time—whether or not it's an emergency. A medical power of attorney only grants you those rights if your parent is incapacitated. The same is true with an advance medical directive.

Long term care is not something anyone wants to think about, but with people living longer than past generations, you may find your family in need of it. Would your parents want to live in their home and pay for care to come to them? Would they consider an assisted living facility and then a skilled nursing center if necessary? Do they know the associated costs? A skilled nursing facility—often called a nursing home—could run between \$70,000 and \$75,000 a year in Hampton Roads. Is that money available or are family members willing to provide it?

There's no predicting how your parents feel about these concerns and others they'll need to address, and that's exactly why it's best to talk with them before you need to know their preferences and resources.

"Over and over, we do crisis planning," says Hook. "We're here to offer that service and can do a good job, but not as good as if we start early. You don't always get the best plan."

And even if you do plan early and get everything lined up, take another look as time goes by. Things change, says Hook, including preferences and budgets. Monitoring the plan and revising it as needed will eliminate surprises and provide peace of mind, for you and your parents. **HRM**

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Finding an elder-care lawyer and what they can help with, including Medicaid, veteran's benefits, long-term care insurance and more.

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