

## **Building Your “Response Team”**

By planning in advance, older adults can prepare themselves for the contingencies and consequences of living a long time by building their "Response Team" – a group of family members, friends, physicians and lawyers – who are informed about your wishes and can carry them out as directed by you. While there are many reasons to build a Response Team, one of the most important reasons involves responding to our rapidly changing system of health care.

Remember the Marcus Welby, MD television show? The kindly physician had a personal relationship with each of his patients, made house calls and followed the patient at the hospital. Health care was paid by insurance and life was simple. That image has been replaced by specialists for each disease, Primary Care Physicians who are no longer your primary doctor if you are admitted to a hospital, huge hospitals, urgent care centers, nursing facilities, rehabilitation facilities, complicated government programs, and insurance forms. As a result, doctors complain they spend more time fighting insurers for approval than fighting disease; health insurance companies frequently change their policies about what they will cover; and Medicaid "spend down" requirements serve as traps for the unwary who may be in need of long term care.

One key role for your response team is to help you when you are sick or injured. To do this effectively, they must be informed and empowered. This is what the legal planning process is all about.

### **How Do I Build My Response Team?**

The first step is to decide who will be there to help you when you need it the most. Family members are often our best protectors — they are often the first ones to summon the nurse, call the doctor, contact the insurance company, make arrangements for care after the hospital and deal with government agencies. A spouse, adult child, or sibling can be a good choice for your team. Also, a good friend whom you can count on to be in close attendance can be a valuable member of your Response Team, especially if you do not have family available to help or they are distant. Different team members may take different roles. Ask yourself these questions:

- If you were suddenly hospitalized, who would show up at the bedside, asking good questions on your behalf and helping to plan for your care?
- Who would handle finances, such as paying your bills for you, checking on savings and investments, filing taxes and applying for benefits that you may need?

Once you have identified the principal members of your Response Team, you need to ensure that they have the legal authority and knowledge they need to act effectively for you.

- Have you expressed your views to them on important health care decisions such as the use of life-prolonging measures?
- Do they know where to turn for medical, financial and legal guidance when care or payment problems arise?
- Are they acquainted with your doctor, lawyer and other key advisors who can help them in the event of your illness or incapacity?
- Would they know how to act in your behalf until such time as you regain the capacity to do so?

One of the best ways to strengthen and prepare your Response Team is by addressing the above concerns through the legal planning process. Legal planning involves the creation of key legal documents such as Durable Powers of Attorney, Wills, Trusts, and Health Care Powers of Attorney. Each of these documents directs your Team's actions at a time when you cannot direct them yourself.

Just as importantly, the legal planning process involves building relationships among your Response Team members so that they can work together should the need arise. A good working relationship with your lawyer can ensure these people will receive the proper advice on how to handle your affairs should the need arise. Your Durable Power of Attorney will do little good if your Team members do not know where to find it or what to do with it.

If your relationship with the front line of your Response Team is not as close as you would like, it is even more crucial that your Response Team include trusted professionals such as lawyers and financial advisors. Your lawyer can help ensure that your affairs are handled in your best interests.

Everyone should plan for the possibility of short and long-term disability, and if signs of a disabling illness are present, legal planning should begin immediately. Many more planning options are available when the person needing care is mentally competent and when the majority of their resources are still intact. Our firm specializes in planning ahead and building a Response Team for our clients. Contact our office to discuss your plans with one of our attorneys.