



# The Anchor

Elder Law Practice of Timothy L. Takacs

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## Coming Events

**Aug. 29, Tim Takacs** guest on Open Line, NewsChannel 5+ (Comcast Cable Channel 50) 7pm

**Sept. 14, Community Education Evening,** Highland Manor, Portland, 325-9263

**October 11** Senior and Boomer Expo, Nashville, 862-8828

**Alzheimer's Family Care Network,** call (615) 292-4938 for dates, times and locations

**Mental Health Association Education & Events,** call 269-5355 for dates, times and locations

**Caregiver Support Group at St. Joseph's Church** (615) 860-0128, first Tuesdays 6:30-8:00 pm

**Stroke Support Group,** Skyline Medical Center, (615) 769-7300, 2nd Tuesdays 12:00

For more upcoming events, visit: [www.grncaaad.org](http://www.grncaaad.org)

## Guidelines Target Safety in Assisted Living Facilities

On June 12, the Joint Commission on Accreditation of Healthcare Organizations announced the 2007 National Patient Safety Goals and related Requirements that apply to nearly 15,000 Joint Commission-accredited and certified health care organizations and programs.

“The 2007 National Patient Safety Goals target critical areas where patient safety can be improved through specific actions in health care organizations,” says Dennis S. O’Leary, M.D., president, Joint Commission. “Organizations that truly integrate these requirements into their daily operations will realize major opportunities to improve patient safety.”

Some of the current National Patient Safety

Goals for Assisted Living follows.

- Improve the accuracy of resident identification.
- Improve the effectiveness of communication among caregivers.
- Reduce the risk of health care-associated infections.
- Accurately and completely reconcile medications across the continuum of care. Included in this goal is a new change in 2007 which states “*The complete list of medications is also provided to the resident on discharge from the facility.*” This expectation is also applicable to the Ambulatory Care, Behavioral Health Care, Critical Access Hospital, Disease-Specific Care, Home Care, Hospital, Long Term Care, and

Office-Based Surgery programs.

- Reduce the risk of resident harm resulting from falls.
- Reduce the risk of influenza and pneumococcal disease in institutionalized older adults.
- Encourage residents’ active involvement in their own care as a resident safety strategy.

The development and annual updating of the National Patient Safety Goals and Requirements continue to be overseen by a panel that includes recognized patient safety experts, as well as nurses, physicians, pharmacists, risk managers and other professionals who have hands-on experience in addressing patient safety issues in health care settings. ~



## Questions and Answers

**Q** *If I choose to draw Social Security Retirement Benefits at age 62, do I still have to wait until I'm 65 to be eligible for Medicare?*

**A** Yes, unless you've been entitled to Social Security disability benefits for at least 24 months or have end-stage renal disease.

**Q** *How disabled must a person be to qualify for disability benefits?*

**A** Social Security defines it as the inability to engage in any

substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or that has lasted or can be expected to last for a continuous period of not less than 12 months.

**Q** *Is TRICARE for Life available to all veterans?*

**A** No. It is provided only to Medicare-eligible uniformed service retirees including retired guard and reservists (and their Medicare-eligible family members, including

widows/widowers).

**Q** *My mother just became eligible for Medicaid nursing home benefits. Will it pay for all of the nursing home costs?*

**A** As a Medicaid recipient, your mother may be required to contribute to the cost of her nursing home care. The amount she will pay depends on her income and the income deductions the state allows. All recipients are allowed \$40 each month for personal needs.~



"For the unlearned, old age is winter; for the learned it is the season of the harvest."

- Talmud

## Helpful Workshop for Life Care Plan Clients

**E**lder Law Practice offers and encourages a nursing home advocacy workshop for its Life Care Plan clients. It is designed to help families understand how nursing homes operate and to help assure quality of care for their loved ones.

The half-day workshop is conducted by Sandy Reynolds, Elder Care Coordinator. Sandy was the District Long-term Care Ombudsman prior to joining the Elder Law Practice three years ago.

She currently provides daily client services such as coordinating resources, facilitation of customized planning, counseling and assistance with age related issues including decision-making and problem solving.

The workshop provides education and discussion on:

- ♥ making effective complaints;
- ♥ participating in care plan meetings;
- ♥ using state and federal

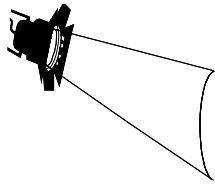
regulations to ensure quality of care;

- ♥ understanding the resident's medical chart;
- ♥ understanding Dementia; and
- ♥ caring for the caregiver.

The classes are intentionally small and informal. Attendees often find support in one another because of the struggles and emotions they share.

Call 824-2571 to reserve a place for the next class on September 23.~





## Guest Column

# The Changing Face of Healthcare for the Aging Population

The healthcare of older people is at a turning point. Although geriatric medicine has made significant advancement in improving the health of older individuals, much more remains to be done to meet the healthcare needs of the aging population.

In response to the needs and demands of seniors, geriatric medicine has grown rapidly through the last thirty years. There is now, a medical knowledge base and clinical skills base established, to improve the health, functioning, and welfare of the aging population.

Five critical healthcare goals have been identified by the American Geriatrics Society (AGS) Task Force on the Future of Geriatric Medicine. These goals are designed to optimize the health and well-being of senior citizens. The realization of these goals will require extensive involvement from all branches of medicine, unity building, creativity, and resilience. The goals are as follows:

1. To ensure that every older person receives high-quality, patient-centered healthcare.
2. To expand the geriatric knowledge base.
3. To increase the number of healthcare professionals who employ the principles of geriatric medicine in caring for the aging population.
4. To recruit physicians and other healthcare professionals into careers in geriatric medicine.
5. To unite professional and lay groups in the effort to influence public policy to continually improve the health and healthcare of seniors. (JAGS 53:S245-S256, 2005)

The health demands of seniors have spurred the growth in the discipline of geriatric medicine. The practice of geriatrics includes geriatric medicine and psychiatry. These two disciplines ex-

clusively focus on healthcare of the aging population. Recognizing the interdependence of medical, social, and mental health issues in the overall health and healthcare of seniors, geriatricians take care of older people, not just take care of their diseases or chronic conditions. This

care may take place in a variety of settings, including the home, a nursing home, retirement community, or community-based long-term-care facility.

Geriatricians are specially trained at balancing the benefits of treatment and providing forethought for frail seniors and those persons in the closing stages of life. The geriatric professionals manage conditions such as immobility, incontinence, and dementia as well as common chronic diseases such as osteoarthritis, hypertension, and heart failure. Care is coordinated with other medical professionals and community-based programs to ensure the senior's needs are met.

*...geriatricians take care of older people, not just take care of their diseases or chronic conditions.*



"Kindness is more than deeds. It is an attitude, an expression, a look, a touch. It is anything that lifts another person."  
- Anonymous

## *The Changing Face of Healthcare* (continued)

Many geriatricians are valued for their keen understanding and expertise of healthcare needs of the aging population. Geriatricians are advocates for senior citizens and the aging population.

Although there have been numerous advances and increased prominence of geriatric medicine, this profession still faces challenges. Financial support for education and research, and payment for clinic care have been insufficient to foster the

needed growth of the geriatric discipline. This being said, geriatricians have the highest professional satisfaction rating among all physicians. (Arch Intern Med 2002; 162:1577-1584)

Currently, there are approximately 7,000 certified geriatricians in the US. This equates to 1 per 5,000 Americans aged 65 and older. The American society must meet the needs of seniors and their related healthcare challenges. Our nation's citizens warrant nothing less.

*This article was written by Darlene Kemp, MPH, MBA, from a report issued by the Journal of the American Geriatrics Society. Home Instead Senior Care is a nonmedical homecare company providing care to seniors in their setting, whether it be a home, hospital room, healthcare or assisted living facility, or nursing home. The care ranges from companion and home helper services to personal care. For more information, please call Home Instead Senior Care at 615-859-2380.~*



"Be who you are and say what you feel because those who mind don't matter and those who matter don't mind."

- Dr. Suess

## Assistive Technology Promotes Independence

**A**ssistive technology is any service or tool that helps the elderly or disabled do the activities they have always done but must now do differently. These tools are also sometimes called "adaptive devices."

For many seniors, assistive technology makes the difference between being able to live independently and having to get long-term nursing or home-health care. For others, assistive technology is critical to the ability to perform simple

activities of daily living, such as bathing and going to the bathroom.

According to a 1993 study conducted by the National Council on Disability, 80 percent of the elderly persons who used assistive technology were able to reduce their dependence on others. In addition, half of those surveyed reduced their dependence on paid helpers, and half were able to avoid entering nursing homes. Assistive technology can also reduce the



costs of care for the elderly and their families.

In some cases, Medicare, Medicaid or VA may help pay for some assistive technology.

Following are some helpful Web sites:

<http://www.disabilityinfo.gov/>

<http://www.abledata.com/>

<http://www.rerc.ufl.edu/>

<http://www.ndipat.org/products/dodads/ddtoc.htm>

<http://www.uiowa.edu/infotech/Solutions.pdf~>

## Takacs Tidbits

Tim's staff will attest that Tim seldom takes a lengthy vacation. Much to everyone's surprise, Tim was scheduled out of the office during the week of the 4th of July. He went to Park City, Utah.

Not exactly a pure vacation, Tim attended the National Academy of Elder Law

Attorneys (NAELA) Board of Directors retreat.

The mission of the NAELA is to establish its members as the premier providers of legal advocacy, guidance and services to enhance the lives of people with special needs and people as they age.

Tim has been a NAELA director since 2004 and a NAELA member since 1991.

During the meetings, Tim's wife enjoyed lessons in fly fishing. As lovers of nature and the outdoors, Tim was able to find time to join his wife in some rest and relaxation. ~

## An Ounce of Prevention is Worth a Pound of Cure

As the leader of President Bush's Healthier US Initiative, Health and Human Services (HHS) Secretary Michael Leavitt has identified prevention as a priority issue in order to highlight the importance of preventive care and chronic disease management.

Leavitt states that the collaboration, led by the Administration on Aging and involving several HHS agencies, states, etc. will empower older people to take more control of their own health through life style and behavioral changes that have proven effective in reducing the risk of disease and disability among the elderly.

Older Americans are disproportionately affected by

chronic diseases and conditions such as arthritis, diabetes and heart disease, as well as injuries resulting from falls. Chronic conditions account for seven out of every 10 deaths, and more than three-quarters

of all health expenditures in the United States.

The HHS research has generated growing scientific evidence on the effectiveness of interventions that can help older people to improve their health status.

As a result of the Initiative, Centers for Medicare and Medicaid Services (CMS) has a new emphasis on preventive services outreach.

While the number of Medicare-covered preventive

services is higher than ever, the federal government has found that many beneficiaries are not taking advantage of the full range of services for which they may be eligible.

As a part of its outreach, Medicare regularly makes informa-

tion available about the many covered preventive services and screenings.

CMS has created individual Web pages for each of the preventive services and screenings covered by Medicare. For additional information visit <http://www.cms.hhs.gov/home/medicare.asp> and scroll down to the Prevention section or go to <http://www.medicare.gov/> and click on "Preventive Services." ~

*Chronic conditions account for more than three-quarters of health expenditures...*



"Death ends a life, not a relationship."

- Robert Benchley

*The Anchor* is a quarterly newsletter designed to enhance the service we provide to our clients. We hope you enjoy the publication and welcome your feedback.

Elder Law is a unique specialty of law intended to serve the needs of the elderly, disabled, and their families. The costs of utilizing such services are usually offset by the financial benefits gained as well as peace of mind.

Some clients who seek our services might feel like they are being tossed in a storm. Forces beyond one's control can catch a family off guard and easily drift them into a crisis situation. With professional assistance, including careful analysis and strategic planning, costly mistakes can be avoided while enhancing the quality of life for those involved.

While the Elder Law Practice of Timothy L. Takacs cannot stop the storm, we can provide the necessary anchor to help steady families during their season of turmoil.~

Information contained herein may contain general explanations of laws. It should not be considered as legal advice. Please seek counsel from an attorney regarding legal planning.  
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