



Aviv Bliwas

20 Erford Road, Suite 304
Lemoyne, PA 17043
Ph: 717.761.4864
Fax: 717.761.4879
www.bliwas.com
aviv@bliwas.com



LAW OFFICES OF AVIV S. BLIWAS, LLC

MEDICAID PLANNING, ELDER LAW and ESTATE PLANNING

Protecting Families' Life Savings from Nursing Home Costs

February 2015 • 1st Edition

Calendar

- Feb 4-CPAFE meeting
- Feb 6-Augusta's birthday
- Feb 12-SOS meeting
- Feb 14-15-Petsmart
- Adoption weekend
- Feb 23-Aviv's birthday



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Question of the Month

Q: I already have a power of attorney, do I have to get a new one now that the power of attorney law changes on January 1, 2015.

A: No, if you already have a signed power of attorney, it is still good as long as it was valid under the law in effect at the time you signed it. However, if you need to update or make changes, you're going to need a power of attorney that is valid under the new law. If you have questions about exactly what is changing or what it means for you, feel free to give us a call.

- «Endorsement Line»
- «User Text 1»
- «Full Name»
- «Second Name»
- «Business»
- «Address Line 1»
- «Address Line 2»
- «City State ZIP Code»
- «IM Barcode»

What's New with Us

You may have noticed we skipped a month. That's because of the new format for the newsletter. We needed some time to get it right. Let us know what you think. It's been eventful in our hiatus though, I started working with an animal rescue group to foster dogs in need of homes and my very first dog (an 80 lb. 2 year old male lab) indirectly caused me to fall and dislocate my shoulder! I'm healing up and in physical therapy but might need to get rotator cuff surgery at a later date. I'll certainly keep you posted. But no, this does not have me off dogs and I'm almost healed enough to be ready for my next foster. And happy ending, that dog got adopted the very day I got hurt. Coming up this month—both Augusta and I have birthdays. I'll be at the Petsmart on the Carlisle Pike with the rescue group several Saturdays this month from 11-3 with the dogs and cats looking for homes.

Looking ahead to March, I'll be applying to become a Certified Elder Law Attorney and also have a one week vacation planned in Turks & Caicos.

We hope you're staying warm and being careful on the ice out there.



Six Strategies for Talking to Your Kids

Last month I promised you I would give some thoughts on how to have those tough conversations with your family. Well, it's turned into at least a 3-parter. I found I had so much to say that I had to spread it out even more. So this month I'll give you some thoughts on conversations for parents to have with children.

If you've ever tried to talk to your kids about what happens when you die, you have probably experienced resistance. Possibly you've even heard them say, "You're not going to die for a long time." Maybe they've started crying or gotten angry; or maybe they've tried to delay, saying they would discuss it later.

If you've never tried to talk, it may be that you are scared of the above reactions, or don't feel like dealing with them. Or maybe you still see your kids as kids (because to you they always will be, of course). Or maybe you simply don't want to face a conversation that is difficult for you to face also.

Strategy 1: Start early

I remember pretty clearly the first conversation I ever had with my father about his advance directive wishes (though he didn't have a written one). My grandfather had suffered from a series of strokes that left him permanently in a nursing home, unable to take care of himself. I remember my father saying to me after we left a visit with my grandfather, "don't ever let me get like that. Just let me die." Those words came back to me constantly during the long period of my father's illness and I tried to use them to guide my decisions on his behalf.

I don't remember being traumatized by my father saying that to me. I was only 15 at the time. Death seemed remote enough for my father, that his words didn't scare me or cause me to start contemplating his death. Maybe that made it easier. So if you're pretty healthy now, it's actually better to talk now. It'll be easier if the day seems like it could be far away.

Strategy 2: Acknowledge their emotions

Our parents have always been older and wiser. We knew if we didn't know something we could always call them and they would know the answer or know how to find it. We knew if something happened, we got sick or needed money, they were our safety net. We may never need it, but it's comforting to know it's there.

If your kids resist, try acknowledging those fears. "Hey, I know this makes you sad or afraid, but it's going to happen eventually and it's better for us to discuss it now and hope that it doesn't happen for awhile, rather than wait and maybe never get a chance to discuss it at all."

Strategy 3: Pointing out the benefit to them

Try pointing out what's in it for them. "Hey, it's a good idea for us to get this over with so that you're not facing lots of decisions or things you don't know and then you can't ask me anymore. This is going to make your life easier when that time comes." (If you need some ideas why it makes their lives easier, check out my Diary of a Caregiver

experiences previously in this newsletter and available on my website blog).

Strategy 4: Pointing out the benefit to you

Remind them that it will set your mind at ease. That you'll feel better knowing that they know and understand your wishes. After all, these are your kids and they want to make you happy.

Strategy 5: Don't take no for an answer

Just plain insist on it. I know these are your kids and you want to avoid making them unhappy. But the same reason you didn't buy them every toy they wanted or let them eat every piece of candy they wanted, is the same reason that you cannot let them dictate this conversation. It really will be better for them in the long run if you force them to have this conversation. So tell them it's because you said so.

Strategy 6: Get help

Sometimes it's easier when you involve other people. My clients can often talk to me more easily than they can talk to their family members. So if it seems like there's other stuff going on or you're facing some really steep resistance, maybe you could consult a therapist or social worker who works with families facing similar issues, a lawyer could help you talk through some of the issues, or maybe another family member who everyone trusts could help.

Next month, how kids can talk to their reluctant parents.



"Hey, I know this makes you sad or afraid, but it's going to happen eventually"