

A STEP AHEAD

CAREGIVING CAN BE HAZARDOUS TO YOUR HEALTH

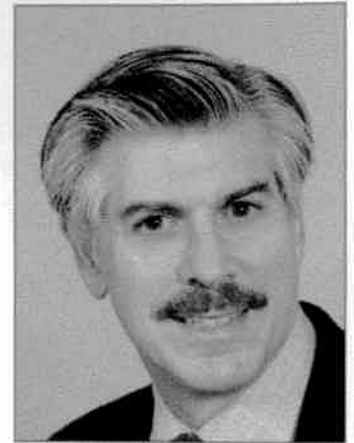
A study of caregivers by a research team at Ohio State University Medical Center proved that "stress can kill you." The research team, led by Dr. Janice Kiecolt-Glaser,¹ conducted a 6-year study of elderly people who cared for spouses with Alzheimer's Disease. The study not only found a significant decline in the health of the caregivers when compared to a similar group of non-caregivers, but also found that the caregivers had a much higher death rate.

The demands on a caregiver result in enormous stress. The study found that stress creates physiological changes in the human body. Providing supervision or physical assistance during many hours a week, and over a period of years, is extremely stressful. This type of stress often occurs day after day, week after week. Its long-term effects are more pronounced in middle-aged and older people -- precisely the group that most often provides long-term care to loved ones. In younger people, when the cause of stress lessens or disappears, the body returns to normal fairly quickly. But as we age, the body's reaction to stress lingers. Over a period of time, it impairs the immune system and results in early aging, development of debilitating disease and even early death. Stress can even induce illness and depression. Depression in caregivers is far

more prevalent than in the non-caregiving population. This can further decrease the effectiveness of the caregiver, leading to higher frustration and greater levels of stress.

Prolonged stress has been linked to cardiovascular disease, type II diabetes, frequent viral infections, intestinal, stomach and colon disorders, osteoporosis, periodontal disease, various cancers and auto immune disorders such as lupus, rheumatoid arthritis and multiple sclerosis. Alzheimer's, dementia, nerve damage and mental problems are also linked to stress. Wounds heal more slowly, vaccinations are less likely to be effective, and recovery from infectious disease can be impaired. For these reasons, it is important to implement strategies to reduce caregiver stress:

Ask for help. Most caregivers are reluctantly thrust into their role without preparation because the need for care usually comes with little warning. Caregivers often operate in "crisis" mode - arranging medical care and living arrangements, scheduling substitute caregivers, providing meals and performing household chores. Ironically, caregivers often sever ties with family, friends and support groups just when help from these people is most needed. As a caregiver, you must ask for help. If it's difficult to ask for help



In This Issue:

- Caregiving Can Be Hazardous To Your Health
- Mistakes & Misconceptions
- Spring Cleaning - Time To Review & Renew

See CAREGIVING, Page 2

Berwitz & DiTata LLP

Spring 2008

Volume 5, Issue 2

Berwitz & DiTata LLP

MISTAKES AND MISCONCEPTIONS

Estate planning, whether simple or complex, requires careful attention to details which, if overlooked or misunderstood, can undermine the plan's effectiveness. We will periodically devote space to highlight common estate planning mistakes and misconceptions.



People often misunderstand how property is transferred after death. They believe that, when they name their spouse, children or other beneficiaries in a Last Will and Testament, the beneficiaries will automatically receive the assets after they die. This is incorrect. In order for the beneficiaries named in the Will to receive assets of the estate,

the Will must be probated. Probate is the legal process by which the Surrogate's Court validates the Will and authorizes the nominated Executor to act on behalf of the estate. Before the Court will accept the Will for probate, the persons who would be entitled to a share of the estate if the decedent had died without a Will, are entitled to notice and an opportunity to challenge the Will or the appointment of the Executor. This process can be time-consuming and costly.

We regularly meet with clients who want their assets to be distributed, after death, without the need for a probate proceeding. Trusts have become a popular way of accomplishing

this goal. Other ways to avoid probate include accounts that are joint or specify that they are "in trust for" or to be "paid on death" to particular individuals. Unfortunately, utilizing these kinds of accounts can sometimes lead to unanticipated complications. For example, if any of your beneficiaries are under age, incompetent or incapable of managing assets, joint, "in trust for" or "pay on death" accounts will not afford flexibility to designate someone other than the beneficiary to manage the assets. For this reason, it is always better to work with an attorney who has the necessary expertise to guide you so that your particular goals can be achieved. ♦

CAREGIVING, from Page 1

yourself, use an advocate - a sibling, friend or professional care manager.

Seek care management advice. Non-medical home care companies provide paid aides to help with activities such as bathing, dressing, shopping, household chores, transportation, companionship

and much more. You may wish to seek a formal assessment and care plan from a professional geriatric care manager. Care managers are invaluable in that they are often able to find supporting resources, suggest respite alternatives, refer to adult day-care or other community services, make arrangements

with family or government providers and provide advice on other issues with which a caregiver struggles.

Take time off - find temporary substitutes. Taking a break from caregiving is just as important as taking a break at work or taking that long-awaited vacation. A geriatric

We Practice Preventative Law!™

care manager can offer viable options or arrangements can be made with family or friends.

Look to fund future care arrangements for you or for a healthy parent NOW. The analysis of data from three national surveys (Mature Market Institute, National Alliance for Caregiving and LifePlans, Inc.) demonstrates that employees caring for disabled elders who have long-term care insurance are nearly two times more likely to be able to continue working than those caring for non-insured relatives. In addition,

the group with insurance devoted more “quality time,” more companionship, and less “hands-on assistance” than the group without. Inquire as to whether your healthy parent can still purchase insurance. If insurance is unaffordable, perhaps other family members might contribute. There may be other avenues for funding long-term care insurance.

Use assistive technology. There are a number of technological devices that can help you make sure your loved-ones are safe while you are away. Such things as emergency alert bracelets

and pendants, GPS tracking for wanderers, remote video surveillance, tele-homecare, and sensory augmentation help monitor from afar.

Remove non-caregiving stress from your job or at home. Take some time to analyze ways in which to remove or reduce other stress causing factors in your life. This will make it easier to cope with the stress of caregiving. ♦

¹Reported in the June 30, 2003 issue of Proceedings of the National Academy of Sciences.

SPRING CEANING, from Page 4

your documents up to date? Have there been changes in the law or in your life that should now be considered? The documents that address the needs of a single person are frequently insufficient when he or she marries. If a couple has children, the appointment of a guardian should be a key factor in estate planning. Those documents that were created when the kids were small may no longer reflect their parents’ wishes now that the kids have grown and flown. Indeed, once your child reaches the age of 18 years, he

or she should have a valid and enforceable Health Care Proxy empowering you or another to make health care decisions. The “sandwich generation” is discovering that the joy and responsibility of raising children is all too frequently overshadowed by the illness of parents. The need for estate planning takes on new meaning as one approaches retirement and, if illness threatens, timing becomes more critical. Lifetime changes affect estate planning. Even if we can’t imagine what changes in our lives could affect these

important documents, an estate planning review is a vital element to ensuring that your wishes will be accomplished.

Because Berwitz & DiTata LLP understands the importance of keeping the plan current, we offer our clients a unique value-added component: a complimentary three-year review. For those who have not yet retained our services, there is a nominal fee to review your plan. Let us help you realize your estate planning objectives. ♦

Berwitz & DiTata LLP

310 Old Country Road • Suite 101 • Garden City, NY 11530

Telephone: (516) 747-3200 • Facsimile: (516) 747-3727

Website: www.berwitz-ditata.com

**PRESORTED
STANDARD
US POSTAGE**

PAID

BOHEMIA, NY 11716-9998
PERMIT NO. 70

SPRING CLEANING - TIME TO REVIEW AND RENEW

Tax season is over! Spring has sprung! It's time to "review and renew." It's time for the annual Berwitz & DiTata LLP "Review and Renew" program. Each spring, we encourage our clients, friends and "would be" friends to focus on estate planning, refresh those resolutions and stop procrastinating.

If you have never created an estate plan, now is the time. Although estate planning is a topic that some people find difficult, we are dedicated to helping clients identify and implement their estate

planning objectives with ease and efficiency. We believe that our success is founded on this fundamental commitment to communicate with our clients in a caring and responsive manner. Those who have met with us in a one-on-one consultation know that we believe that everyone can benefit from estate planning regardless of personal income or net worth. Everyone has concerns regarding the future. For instance: How can I avoid probate and the dissipation of my assets to estate taxes? How can I avoid losing control of my assets if I become disabled?

How do I protect myself and my family from devastating nursing home costs? How can assets be transferred if a relative is already in a nursing home? How can I protect my minor children? In designing strategies to effectuate our clients' goals, we offer detailed advice and a high level of technical expertise. Now is the time to achieve estate planning peace of mind! Ask those questions, explore the options, get it done.

If you created your estate plan, or reviewed it last, more than 3 years ago - now is the time. Are

See [SPRING CLEANING](#), Page 3

We Practice Preventative Law!™