



Let's

Talk

Starting the Conversation about Health, Legal, Financial and End-of-Life Issues



Connecting You to Community Services



A national survey by The Conversation Project found that 9 in 10 Americans want to discuss their loved ones' and their own end-of-life care, but approximately 3 in 10 Americans have actually had these types of conversations. For older adults, families and close friends these conversations may be tough to initiate, but they are valuable and necessary for all involved. This guide is meant to help you prepare for these conversations, offer helpful tips for starting a discussion and provide a range of topics for your consideration.

You can learn more about beginning conversations about end-of-life care from **The Conversation Project** (theconversationproject.org), which offers a Conversation Starter Kit for guidance. Additionally, you can learn more about what community resources may be of assistance to older adults, caregivers and their families before or after communicating with loved ones from your local Area Agency on Aging, Title VI Native American aging program or other trusted community resource. **The Eldercare Locator** (www.eldercare.gov) can direct you to an agency in your area.

WHY IS IT IMPORTANT TO HAVE THE CONVERSATION WITH LOVED ONES?

Initiating conversations about health, legal, financial and end-of-life issues may be difficult for you and your loved ones, but having these conversations will ensure that a plan is created that accurately reflects your wishes and prepares and engages those who you love. A conversation can provide a shared understanding of what matters most to you and guide your loved ones if and when they need to make decisions on your behalf. Planning in advance will save time, energy and money, allowing everyone to think about what they want for the future.

PREPARING FOR THE CONVERSATION

Prior to talking openly with loved ones, it may be useful to gather your thoughts. Remember:

- Get yourself ready. Think about the conversation.
- It might be useful to write a letter—to yourself, your family or a friend.
- Consider having a practice conversation with a friend.
- These conversations may reveal that you and your loved ones disagree on some things. **That's okay.** It's important to simply know this, and to continue talking about it now—not during a crisis situation.

Thinking about basic aspects of the conversation may also be helpful. Here are some areas to consider:

- Select a time to talk. Holidays, family get-togethers and other special occasions are all times when family and friends gather together, presenting an opportunity to include many of your loved ones in these conversations.
- Determine the location for the conversation to take place. A location you and your loved ones are comfortable with such as your home, on a walk or at a park.
- Decide who should be involved in the conversation.
- Make a list of the topics that are most important for you to discuss.

STARTING THE CONVERSATION

To ease everyone in, certain conversation starters can be used, such as sharing a story of someone else's experiences or using a letter or video as a starting point. Here are some additional ways you can break the ice:

- "I need your help with something."
- "I was thinking about what happened to _____ and it made me realize..."
- "I just answered some questions about how I want the end of my life to be. I want you to see my answers and I'm wondering what your answers would be."
- Ask for help with planning the future.

CONVERSATION REMINDERS:

- ✓ Be patient. Some people may need a little more time to think.
- ✓ You don't have to steer the conversation; just let it happen.
- ✓ Don't judge.
- ✓ Nothing is set in stone. You and your loved ones can always change your minds.
- ✓ Every attempt at a conversation is valuable.
- ✓ This is the first of many conversations—you do not have to cover everything right now.



ADDITIONAL RESOURCES TO START THE CONVERSATION

Conversation Starter Kit
(theconversationproject.org)

Aging with Dignity
(www.agingwithdignity.org)

Take Charge of Your Life
(takechargeofyourlife.org)



WHAT TO TALK ABOUT

There may be a variety of topics you want to address in these conversations. Here is some guidance on possible health, legal, financial and end-of-life considerations. This list doesn't cover everything you may need to think about or discuss, but it offers a good place to start.

Health

Awareness of any health conditions and the location of useful health information will help avoid any confusion or mistakes later on. Some of the useful health documents include:

- ✓ List of your doctors and pharmacy contact information
- ✓ Medical Records
- ✓ Medicare and/or Medicaid Number and Identification Card
- ✓ Insurance Policies
- ✓ Living Will
- ✓ Durable Power of Attorney for health care
- ✓ List of medications you are taking, dosage and cost

For more information on this topic and detailed checklists that will help organize health documents, visit AARP's *Prepare to Care: A Planning Guide for Families*. The Conversation Project's resource *How to Talk to Your Doctor* (theconversationproject.org) can also be useful when communicating with doctors and nurses.

Legal

There are various legal and medical documents where your advance planning wishes can be recorded to ensure they will be honored when needed. Here are some of the steps to consider in advance care planning:

- Appoint a Durable Power of Attorney for property matters, and fully discuss finances and plans with them.
- Determine if a Trust arrangement is useful.
- Create a Will.
- Choose an agent under a Health Care Power of Attorney and fully discuss health care expectations and wishes with them and other important people.
- Create a Health Care Advance Directive and note if it only includes a Health Care Power of Attorney or a Living Will, or if it is comprehensive and includes both.
- Talk with your physicians about your wishes and provide them with a copy of the Health Care Advance Directive.

- Place legal, personal and financial papers in an easily found location and share that location with the agent and essential loved ones.
- Identify where legal help can be provided for any planning questions.

After completing the legal tools, it is important to make these tools available. For financial planning tools, such as a durable power of attorney, an agent should have access to an original copy and any legal advice should be followed. For a health care advance directive, a copy should be provided to the doctor to place in the medical record. The agent should also have a copy, and should be aware of how to obtain the original document. It is important to continue to review documents and make sure they reflect any changes in circumstances or thinking. For more information on the legal aspects of the conversation, visit www.abanet.org/aging, where you will find resources such as *Health & Financial Decisions: Legal Tools for Preserving Your Personal Autonomy* and *Consumer's Tool Kit for Health Care and Advance Planning* to assist with the conversation.

Creating legal documents is only part of what is needed. Just as important, is talking with family and loved ones about what the documents mean and how you want decisions made, if you are unable to make decisions for yourself. The conversation about your wishes is just as important, maybe more important, than the actual legal documents.

LEGAL TERMINOLOGY:

- **Health Care Advance Directive:** A general term for a document that provides instructions about your health care. This often includes Living Wills and Durable Powers of Attorney for Health Care.
- **Living Will:** A document where you state your wishes about your medical treatment preferences if you become unable to speak for yourself. It helps to ensure your wishes are known and carried out, though it does not appoint an agent.
- **Health Care Power of Attorney (or Health Care Proxy):** Enables you to appoint another person to make any or all health care decisions for you if you become unable to make your own decisions. You may also include guidelines for those decisions. This helps to ensure your doctor and loved ones are aware of and will respect your wishes. It also helps relieve the stress and conflict caused when family has to guess what you would have wanted.
- **Durable Power of Attorney (for Property):** A document in which you (the “principal”) give legal authority to another person (the “agent”) to act on your behalf when you become too sick or disabled. The appointed agent or agents are whom you want to manage any part or all of your affairs: financial, personal or both. Instructions and guidelines can be included.
- **Trust:** An arrangement where one person or institution called the Trustee holds the title to property for the benefit of other persons called Beneficiaries. This is useful for lifetime management of property where there is a substantial amount of property and professional management is desired. It may also be written to continue after death.

Financial

When having legal, health or end-of-life conversations with loved ones, you should also determine and record where critical financials items will be stored to prevent future confusion. Documents should include:

- ✓ Birth Certificate
- ✓ Social Security Card
- ✓ Life Insurance Policy
- ✓ Long-Term Care Insurance
- ✓ Mortgage or Rental Documents and Bills
- ✓ Utility Bills
- ✓ Car Insurance/Title
- ✓ Bank Records
- ✓ Credit Cards
- ✓ Passwords to Online Accounts
- ✓ List of Assets and Debts
- ✓ List of Household Bills
- ✓ Federal and State Tax Returns
- ✓ Bank Contact or Financial Planner Contact Information
- ✓ Power of Attorney

For more information on maintaining financial information, visit **AARP's *Prepare to Care: A Planning Guide for Families***.

End-of-Life Issues

Here are some considerations when discussing end-of-life care:

- When you think about the last phase of your life, what's most important to you? How would you like this phase to be handled?
- Any particular health concerns.
- Who do you want (or not want) to be involved in your care? Who would you like to make decisions on your behalf if you're not able to? (This person is your health care proxy).
- Would you prefer to be actively involved in decisions about your care? Or would you rather have your doctors do what they think is best?
- Who will make decisions on financial and health care matters? (They do not have to be the same person).
- Are there any disagreements or family tensions that you're concerned about?
- Acceptable and/or unacceptable medical treatment/care.
- Any important milestones to meet if possible.



- Acceptable and/or unacceptable places to receive care (home, nursing facility, hospital).
- When would it be okay to shift from a focus on curative care to a focus on comfort care alone?
- What affairs should be in order and discussed with loved ones (personal finances, property, relationships)?

For more information on beginning the conversation on end-of-life care, visit theconversationproject.org.



KEEP THE CONVERSATION GOING

Every conversation you have will empower you and your loved ones to truly understand each others wishes. After the first conversation, it is important to write down what was discussed and to continue talking with family and friends when necessary. A way to ensure wishes reflect any changes in thinking following a life change is by **reviewing plans when any of the “5 Ds” occur:**

- ✓ Every new *Decade* of life
- ✓ After the *Death* of a loved one
- ✓ After a *Divorce*
- ✓ After any significant *Diagnosis*
- ✓ After any significant *Decline* in functioning

COMMUNITY RESOURCES TO ASSIST IN THE PLANNING PROCESS



Area Agencies on Aging (AAA) – Health, legal, financial and end-of-life issues are difficult for families to tackle alone. If you are looking for additional information on community supports, local or state specific information/forms or tools that can assist in the planning process, you can contact your local AAA. These agencies can help inform you about senior legal services and financial planning resources. AAA can point you in the direction of other tools that may be of assistance for conversations with loved ones and planning for the future. Get connected with your local AAA by calling the **Eldercare Locator** at **800.677.1116** or visit www.eldercare.gov.

Learn more about AAAs and the **programs and services** they provide from the **National Association of Area Agencies on Aging (n4a)** at www.n4a.org.

Legal Resources – For a Health Care Advance Directive, a lawyer can be helpful but is not required. For a Durable Power of Attorney for property or a Trust, these documents must be tailored to meet legal needs, thus a lawyer familiar with “lifetime planning” will be a good resource. To find an elder law attorney in your state, visit www.nlrc.aoa.gov/nlrc/Services_Providers or www.findlegalhelp.org.



Connecting You to Community Services

800.677.1116

www.eldercare.gov

www.facebook.com/eldercarelocator

The Eldercare Locator is the first step to finding resources for older adults in any U.S. community and a free national service funded by a grant from the U.S. Administration on Aging (AoA). The Eldercare Locator is administered by the National Association of Area Agencies on Aging (n4a).

the conversation project

theconversationproject.org

The Conversation Project, co-founded by Pulitzer Prize-winner Ellen Goodman, launched in collaboration with the Institute for Healthcare Improvement (IHI) and supported by Cambia Health Foundation, is a public engagement campaign with a goal that is both simple and transformative: to have every person's end-of-life wishes expressed and respected. Too many people die in a manner they would not choose, so The Conversation Project offers people the tools, guidance and resources they need to begin talking with their loved ones, around the kitchen table, about their wishes and preferences. Have you had the conversation?



Advocacy. Action. Answers on Aging.



Administration on Aging

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