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## Seniors and Special Needs News - August 14, 2015

1 message

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With help, seniors and people with special needs can keep some of their assets in the family rather than lose their entire life savings to the costs of long term care. They can use these protected assets to enhance their quality of life beyond what long term care alone will provide.

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**The Koewler Law Firm**  
 JAMES L. KOEWLER, JR.



# Seniors and Special Needs News

## Legal Issues when someone has Dementia Choosing a Final Resting Place

Today's newsletter continues the discussion of Legal Issues when someone has Dementia. The introductory newsletter ([May 1, 2015](#)) put forth the issue of "Who can speak for someone with dementia?" The [May 15, 2015](#) newsletter discussed the situation where the person with dementia has Advance Directives in place. The [May 22, 2015](#) newsletter discussed the legal issues in determining whether a dementia sufferer can choose to have new Advance Directives prepared. The [May 31, 2015](#) newsletter discussed options in preparing a Health Care Power of Attorney. The [June 5, 2015](#) newsletter discussed how to decide whether to prepare a Living Will. The [June 12, 2015](#) newsletter discussed the General Power of Attorney. The [June 19, 2015](#) newsletter discussed the importance of making the General Power of Attorney "durable." The [June 26, 2015](#) newsletter discussed whether to make General Powers of Attorney "springing." The [July 3, 2015](#) newsletter discussed revoking prior Powers of Attorney. The [July 10, 2015](#) newsletter discussed Do Not Resuscitate orders. The [July 17, 2015](#) newsletter discussed the Right of Disposition designation. The [July 24, 2015](#) newsletter discussed the Will (aka Last Will and Testament.) The [August 1, 2015](#) newsletter discussed Beneficiary Designations on IRAs, bank accounts, etc. The [August 7, 2015](#) newsletter discussed whether to pre-plan a funeral. To continue the series on legal issues when someone has dementia, today's newsletter will discuss how to choose a final resting place.

Today's installment continues the discussion of issues to manage when

someone finds out that they have dementia. These issues should be managed before the dementia gets worse, before the disease takes away the person's ability to make decisions. Following on last week's discussion on whether to pre-plan a funeral, this week's discussion will focus on what to consider when deciding on a final resting place.

First, the person must choose between traditional burial and cremation. This decision can turn on his or her personal preference and/or religious beliefs. It can also turn on cost. (I don't mean to be crass, but cost is always a factor.)

Second, the person must choose his or her final resting place. Whether he or she chooses cremation or traditional burial, the location is an important step. The location decision can also be the most time-sensitive decision. (Because the final resting place decision is time-sensitive, the choice between burial and cremation is time-sensitive because the final resting place decision depends in part on the cremation/burial decision.)

If the person chooses to have a cremation and have his or her ashes (called "cremains") scattered or kept somewhere personal, the placement of the cremains can be treated as part of the ceremony. If, however, the person chooses to have his or her remains (whether cremated or not) placed in a cemetery or other location where other people may have their remains placed, the location must be reserved ASAP. If he or she wants to be placed in a prime location (such as "under the big oak tree," or next to Mom, or in the niche at eye level in the mausoleum) he or she should buy that location NOW before someone else buys it first. The placement of remains in a cemetery is a real estate transaction. The three most important parts of the real estate transaction are "location, location, and location." If someone gets your favorite spot before you do, it's not your spot.

The decision to scatter cremains or to be buried or placed in a mausoleum is, like the cremation decision itself, largely based on personal preference and often on religious beliefs. Cost (as always) is a factor as well.

If religious beliefs or costs do not dictate the choice, then personal preference controls. The personal preference might be based on a wish to be placed where loved ones can visit. It might be based on a desire to stay with loved ones, such as cremains kept in a family member's home. It might be based on an important event in the person's life. (A friend's father was an avid golfer. He asked that his cremains be scattered on a golf hole where he scored a hole-in-one.) The decision might also be an acknowledgement of a lifelong interest, such as having ashes scattered in a favorite meadow or forest.

The decision of a final resting place is deeply personal. Someone with the early stages of dementia should get a chance to make that decision before the opportunity gets away.

## Suggest a Newsletter Topic

I try to write something new (and useful) in my newsletter every week. So, I know that I will sometimes have writer's block. I'd like your help, please.

If you have a topic for my newsletter that you'd kindly suggest, I promise to consider it. (I don't promise to pursue it. I just promise to consider it.) I try to write about issues concerning seniors, health care, long term care, special needs, Veterans Pension (aka Aid and Attendance) benefits, and Veterans Compensation benefits. Please keep your suggestions within or near to those topics.

Please submit your suggestion [here](#). If I use your topic suggestion, I'll put the content in both my blog and newsletter.

Thank you for your help.

## Social Media Posts from the past week

08-13-2015 Research into #Stress and #CopingMechanisms for #Parents of Children with #Autism <http://ow.ly/QqFtX>

08-12-2015 #Depression in #FamilyCaregiver often comes from disagreement over #LifeSustainingTreatment <http://ow.ly/QqTrB>

08-11-2015 #Married couples can share their #LongTermCareInsurance benefits <http://ow.ly/QpZ1r>

08-10-2015 Life in a #NursingHome for someone without #Dementia <http://ow.ly/PSUj0>

08-09-2015 #Veterans are not receiving their #AgentOrange benefits <http://ow.ly/PRDF8>

08-08-2015 Helping an #AgingParent avoid #SeniorFraud <http://ow.ly/PRC99>

08-07-2015 #Legal Issues when someone has #Dementia – Consider whether to Pre-Plan a #Funeral <http://wp.me/p47F09-d1>

Older social media posts can be found in the [social media post archive](#) on the firm's website, [ProtectingSeniors.com](http://ProtectingSeniors.com).

## The Koewler Law Firm News

8-24-2015 Jim Koewler will discuss Advance Directives (General Power of Attorney, Health Care Power of Attorney, Living Will, etc.) at the Soprema Senior Center in Wadsworth, Ohio. Jim will provide help for a limited number of people to prepare and execute their Living Wills.

9-3-2015 Jim Koewler will discuss Helping Reluctant Seniors accept the benefits of Long Term Care at Stow-Glen Retirement Village in Stow, Ohio. Continuing education credit is available for Certified Case Managers, social workers, counselors, and nurses.

9-22-2015 Jim Koewler will discuss Money Management for Seniors at Chambrel of Montrose, a Brookdale Community, in Akron, Ohio.

10-28-2015 Jim Koewler will discuss Preventing Senior Fraud at Southwest General Medical Center in Middleburg Heights, Ohio. Continuing education credit is available for social workers, counselors, and nurses.

Older items of firm news can be found in the [news archive](#) on the firm's website, [ProtectingSeniors.com](http://ProtectingSeniors.com).

### **Jim's available presentations**

- Overcoming Seniors' Resistance to Long Term Care (Continuing Education credit available for social workers, counselors, nurses and Certified Case Managers)
- Preventing Senior Fraud (Continuing Education credit available for social workers, counselors, nurses and Certified Case Managers)
- My Care Ohio and Medicare/Medicaid “Dual Eligibles” (Continuing Education credit available for social workers, counselors, and nurses)
- Navigating Medicaid, Medicare, and the Affordable Care Act (Continuing Education credit available for social workers, counselors, and nurses)
- What people Know about Long Term Care that is Wrong (Continuing Education credit available for social workers, counselors, and nurses)
- Government Benefits that can help Pay for Long Term Care (Continuing Education credit available for social workers, counselors, and nurses)
- Legal Issues for People with Dementia (Continuing Education credit available for social workers, counselors, and nurses)
- Veterans Benefits for Long Term Care (Continuing Education credit available for social workers, counselors, and nurses)
- Advance Directives – Powers of Attorney, Living Wills, etc. (Continuing Education credit available for social workers, counselors, and nurses)
- Buying Long Term Care Insurance Wisely (Continuing Education credit available for social workers, counselors, and nurses)
- Planning Ahead to Protect against Long Term Care Costs (Continuing Education credit available for social workers, counselors, and nurses)
- Organizing for Long Term Care (Continuing Education credit available for social workers, counselors, and nurses)
- Pre-planning your Funeral (Continuing Education credit available for social workers, counselors, and nurses)
- Elder Law: A Primer (Continuing Legal Education credit available)
- Protecting your Money when you need Long Term Care and Essential Estate Planning Considerations (with free living wills for up to 20 audience members)

- Myths about Long Term Care Costs
- How to help your Parents Manage their Affairs

## Upcoming meetings

- 8-14-2015, Eldercare Professionals of Ohio, Westlake Village, Westlake, Ohio, 9:00 a.m.
- 8-17-2015 Medina County Senior Services Network's Education Committee, Tres Potrillos, Medina, Ohio, 11:30 a.m.
- 8-18-2015 UH Bedford Medical Center Senior Network Mixer, Village of Marymount, Garfield Heights, Ohio, 4:00 p.m.
- 8-19-2015 Geauga Professional Association Specializing in Seniors ("PASS"), Geauga County Department on Aging, Chardon, Ohio, 8:30 a.m.
- 8-25-2015 Summit County Senior Services Network, Anthony Kucko Kertesz Funeral Home, Akron, Ohio, 8:00 a.m.
- 8-25-2015 Wayne Holmes Senior Service Coalition, Wayne County Care Center, Wooster, Ohio, 8:30 a.m.
- 8-27-2015 Portage Senior Services Network, Family and Community Services Building, Ravenna, Ohio, 8:30 a.m.
- 8-27-2015 The Association of Specialists in Aging, Mentor Senior Center, Mentor, Ohio, 8:30 a.m.
- 8-28-2015 Eldercare Professionals of Ohio, The Atrium at Anna Maria, Aurora, Ohio, 9:00 a.m.
- 9-1-2015 Aging Services Network of Euclid, Picnic, 3:00 p.m.
- 9-2-2015 Stark Senior Services Network, Canton Baptist Temple, Canton, Ohio, 9:00 a.m.
- 9-2-2015 Richfield Chamber of Commerce luncheon, Days Inn and Suites, Richfield, Ohio, 11:45 a.m.
- 9-2-2015 Medina County Senior Services Network's Client Services Committee, Sully's, Medina, Ohio, 3:00 p.m.
- 9-9-2015 Medina County Senior Services Network, Emeritus at Camelot Place, Medina, Ohio, 8:00 a.m.
- 9-9-2015 Summit Senior Sales, Administrators and Marketers Association, Magnolia Village, Wadsworth, Ohio, 2:30 p.m.
- 9-10-2015 Lorain County Senior Services Network, Wesleyan Village, Elyria, Ohio, 8:30 a.m.
- 9-11-2015 Eldercare Professionals of Ohio, Bradley Bay Health Care, Bay Village, Ohio, 9:00 a.m.
- 9-14-2015 Medina County Senior Services Network's Education Committee, Tres Potrillos, Medina, Ohio, 11:30 a.m.

## Newsletter Archive

Past issues of this newsletter can be found in the [newsletter archive](#) on the firm's website, [ProtectingSeniors.com](http://ProtectingSeniors.com).

## Contact Jim Koewler

If you'd like to contact Jim, this newsletter has a dedicated [contact page](#) on the firm's blog site, [ProtectingSeniorsNews.com](http://ProtectingSeniorsNews.com).

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