Consumer Protection and Elder Justice
Back Brace Scam

Marketer
- Calls seniors
- Captures Medicare #s

Tele-Doctor
- Signs paperwork
- Paid by brace companies

Brace Companies
- Ships braces to seniors
- Gets $$ from Medicare
- Pays marketers, tele-doctors
- Share Medicare #s
• Jordana is both a volunteer and part-time attorney at the Eldr Center

• Jordana holds an undergraduate degree from California State University at Long Beach, a MBA from the Drucker School of Management at Claremont Graduate University and a law degree from the Fowler School of Law at Chapman University

• After graduating from law school, Jordana volunteered at the Legal Aid Society of Orange County and the Public Law Center

• In 2015, Jordana started her own solo practice law firm
Why Everyone Needs an Advance Health Care Directive and a Power of Attorney
Our Mission:

Ensuring access to justice and legal services for seniors, people with disabilities, and people experiencing homelessness

<table>
<thead>
<tr>
<th>Household</th>
<th>Annual Household Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>up to $24,980</td>
</tr>
<tr>
<td>2</td>
<td>up to $33,820</td>
</tr>
<tr>
<td>3</td>
<td>up to $42,660</td>
</tr>
<tr>
<td>4</td>
<td>up to $51,500</td>
</tr>
<tr>
<td>5</td>
<td>up to $60,340</td>
</tr>
<tr>
<td>6</td>
<td>up to $69,180</td>
</tr>
<tr>
<td>7</td>
<td>up to $78,020</td>
</tr>
<tr>
<td>8</td>
<td>up to $86,860</td>
</tr>
</tbody>
</table>

Hourly Rate

|                | $75 | $115 | $145 | $185 |

DISCLAIMER: This presentation is informational only and does not constitute legal advice.
Common Terms

- Principal = You
- Agent = Person you appoint to act on your behalf
Why YOU Need a Health Care Directive and Power of Attorney

• If you are over 18 years old (and not under a conservatorship*), YOU are the only person with legal authority to make medical decisions for yourself.

• If you are over 18 years old (and not under a conservatorship*) YOU are the only person with legal authority over your finances/assets etc. that are held in your name only.

• The above are true even if you are married...
Advance Health Care Directive - AHCD

Appoints an agent to make medical decisions on your behalf if you are unable.

1. Treatment Decisions
2. End of Life Decisions
3. Post Death Wishes

You decide your wishes, it is then up to your agent to carry out your wishes.
Durable Power of Attorney

Appoints an agent to manage your financial affairs if you are unable to do so yourself. You determine the types of things your agent (also called your “Attorney in Fact”) may do.
Durable Power of Attorney
Choosing an Agent

Your Spouse

A TRUSTED younger friend or relative.

An Independent Fiduciary

Always choose at least one “successor agent” in case your first choice is not available.
Medical Decisions If You Do Not Have an AHCD
What is a Conservatorship?

A conservatorship is a court case where a judge appoints a responsible person or organization (called the “conservator”) to care for another adult (called the “conservatee”) who cannot care for himself or herself or manage his or her own finances.

https://www.courts.ca.gov/selfhelp-conservatorship.htm
Real Life Story #1

Dad has been showing signs of mental decline for years. Mom is healthy and is Dad’s caretaker and also manages the family finances. Mom suddenly takes ill and dies. Dad is found (more than once) wandering the neighborhood and finally taken to the hospital.

Son calls an attorney for help. Son cannot arrange for Dad’s long-term care or pay Dad’s bills. Only option – Conservatorship.
Real Life Story #2

Daughter is stopped by police after driving wrong way on a busy street. Suspected of being drunk, but also behaving irrationally, daughter is taken by police to the hospital. Daughter has no drugs or alcohol in her system and is diagnosed as having suffered some form of stroke or neurological impairment. Dad calls an attorney for help. Dad cannot arrange for daughter’s long-term care or pay her bills. Only option – Conservatorship.
Cautions – Choosing Your Agent(s)
Questions????

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