

KH LAW NEWS

Bringing You Our Best

April 2010

Spring into this month's article with ...

When Father Time Catches Up With Our Parents

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KH Biggest Loser: The Results Are IN!

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From All of Us

When Father Time Catches Up With Our Parents

We all expect it to happen eventually—our parents getting older. Not just older chronologically, but physically and mentally older as well. It's a difficult and sometimes painful process to realize that our parents are in fact aging. With each passing year, your parents, too, may be showing more obvious signs of time gone by. Even the spryest of spry eventually start to slow down and need more help than they did before.

Sometimes it happens slowly and you have time to adjust to your new reversed role as the caregiver. When you visit, you notice they are not keeping up with their normal routines, they may need more help around the house, or help managing their checkbook and bills. And other times, the caregiver role reversal is thrust upon you suddenly and unexpectedly due to an illness or accident which can cause much stress and concern for your parents' well being. When these turn of events happen, there may also come a time when your parents will need more care than you can provide on your own. They may need in-home care, an assisted living facility, or even a nursing home. The good news is you can help them plan now for these eventual needs and help them prepare for this next stage in life when the time comes.

Set up an appointment for them to meet with a qualified estate planning attorney, one who focuses their practice in that area. That attorney can help your parents with a comprehensive estate plan, including a Revocable Living Trust, Pour-over Will, Financial Power of Attorney, Health Care Power of Attorney, and "HIPAA" Authorization Form.

A Revocable Living Trust will hold your parents property and facilitate your management, as successor Trustee, of that property in the event of their disability. Similarly, as "Agent" under your parents' Financial Powers of Attorney, you can manage any assets which are outside their Trust, file their income tax return, etc. Their Trust and Financial Power of Attorney should contain "Medicaid triggers" which allow you, as their decision-maker, to engage in planning strategies which will enable them to qualify for Long-Term Care Medicaid for nursing home care. That way, their assets may not have to be exhausted on medical bills and nursing home costs and can be retained instead to provide them a better life.

Health Care Powers of Attorney enable you, as their Agent, to make medical decisions for them if they are unable to make them for themselves. A Health Insurance Portability and Accountability Act or "HIPAA" Authorization Form allows for you and others to have access to your parents' protected health care information, when needed.

If the time comes that one of your parents need care in a nursing home, you'll have the tools you need to help facilitate that. At that time, of course, you'll want to choose a facility carefully. Consider the following factors: proximity to you and other family members, the ratio of nursing staff to residents, the facility's safety and overall ratings, etc. You can find a listing of nursing homes in your area and their ratings and ratios at: www.Medicare.gov/NHcompare.



If you plan now, you and your parents will be ready whatever the future might bring. A qualified estate planning attorney can help tailor a plan to your parents' unique needs.

Attorneys Michelle T.L. Hernandez and Dera L. Johnsen-Tracy are members of the American Academy of Estate Planning Attorneys and have extensive legal experience in the area of estate planning. To schedule your free consultation today, simply call (800) 431-9776.

Happy Anniversary to Shelley Craker!

Shelley joined the Krueger & Hernandez team all the way back in 2003, and this marks her 7 year anniversary as an integral member. Congratulations Shelley!



KH Biggest Loser Results are IN!

And the winners are....

Gold Medal: Mark Krueger (37.6 lbs.)

Silver Medal: Kara Malston (21.6 lbs.)

Bronze Medal: Michelle Hernandez (14.6 lbs.)

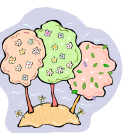


**The firm lost a total weight of 119 lbs. in only 60 days!
Great job everyone!!!!**

GET INTO SPRING!

Spring has sprung and it's time to get GREEN! What better time to sign up for our paperless newsletter and save a tree?

Just email us at moassistant@kh-law.net and you'll be added to the list!



Disclaimer

The information provided in this newsletter is not intended to serve as specific legal advice. Viewing this information does not constitute an attorney-client relationship. All testimonials are released by express consent of our clients.

Krueger & Hernandez is holding FREE Living Trust seminars in Madison! Seminars will be held on April 20th, 21st, and 22nd. For more information or to register, call (800) 431-9776 or visit us on the web!

www.KH-LAW.net

For all your legal needs:

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CONCERN FOR LOVED ONES LIVING IN NURSING HOMES

Did you know that the greatest portion of the cost of long-term care in Wisconsin is paying for treatment for injuries from falls?

HEALTH CARE CRISIS: The frequency in which falls occur combined with the serious consequences of the injuries from those falls make them a public health care crisis. Injuries related to falls to the elderly can start numerous other complications that can further deteriorate your loved one's health and can even be fatal. A fall may trigger immobility, depression, infection, muscle loss, pneumonia, pressure sores from being confined to bed and bladder infections. Finally, one in three elderly fall victims dies within one year from complications.

CAUSES OF FALLS: What causes residents to fall and how can they be avoided? The condition of the nursing home itself causes 16-27% percent of falls among residents. Hazards such as wet floors, lack of supervision, poor lighting, incorrect bed height and improperly fitted or maintained wheelchairs are factors that contribute to this alarming amount. Medications can increase the risk of falls and the injuries related to those falls. Hip fractures are of particular concern and are a common result of falls. Up to twenty percent of patients die within a year following a hip fracture. Those who survive often experience significant disability and diminished quality of life. According to the injury center on the Center for Disease Control and Prevention, there are about 1,800 fatal falls in US Nursing Homes each year.

WAYS TO REDUCE: Although Wisconsin currently ranks second in the nation in fall deaths, proper intervention can significantly reduce the rate of injuries and deaths. Many of the actions that nursing homes can take to decrease the number and severity of falls are both low tech and low cost. For example, implementing a fall prevention program has shown to reduce the risk of falls by 19%. Modifying existing conditions by placing grab bars in bathrooms, raising toilet seats, lowering bed heights and installing hand rails in hallways. These are the types of things to look for when choosing a nursing home for your loved one. Minimizing the use of medications that have side effects that cause dizziness and decrease balance should also be considered and discussed with your loved one's doctor.

Taking legal action against an abusive or negligent nursing home is one of the best ways to raise awareness, improve quality of care and effectively improve the life of your loved one as well as other potential victims of nursing home negligence. At Krueger & Hernandez SC we are a dedicated team of lawyers, paralegals and legal assistants who use medical experts, investigators and other resources to best represent you or your loved one. We help clients and their families receive compensation for their pain, suffering, financial and emotional losses as well as payment of medical expenses. We listen, we care, we get results!

If you are in need of an attorney to represent you or a loved one because of injuries sustained while a resident in a nursing home please contact Attorney Mark L. Krueger for a free consultation at (866) 455-2993 or e-mail him at mark@kh-law.net. Please feel free to check out our website at www.KH-LAW.net for further information about our firm.



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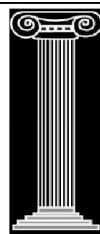
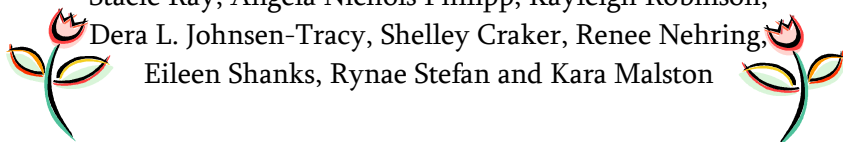
Become a fan of "Krueger & Hernandez SC" on Facebook!



Give the gift of peace of mind! Now is the time to put an effective estate plan in place and plan for your future and for your loved ones. Call today for a free consultation, 1-800-431-9776.

From All of Us at Krueger & Hernandez

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