



# Aging with Intellectual Disabilities

## Common Legal Issues

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# Session Objectives

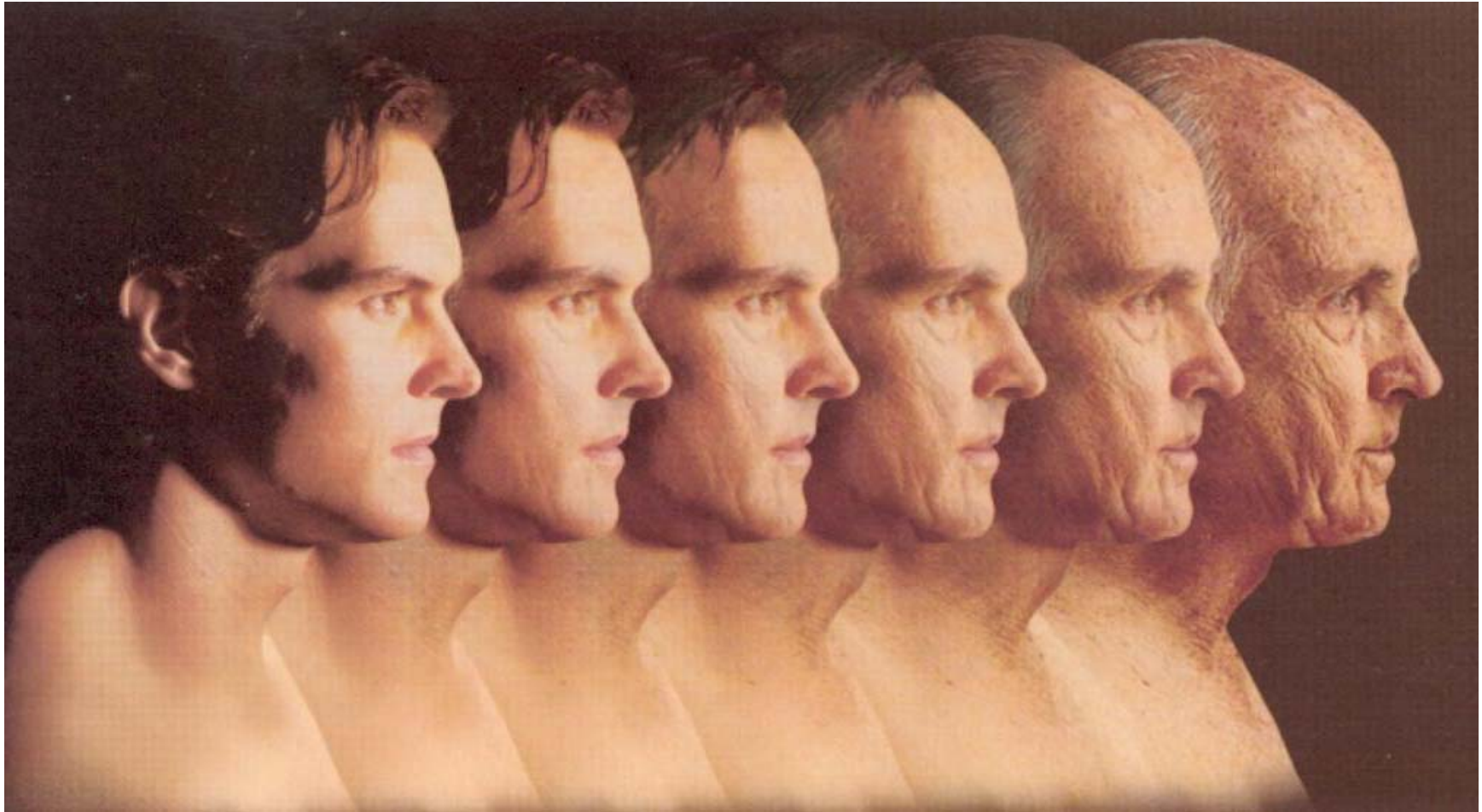
**“Talking now is a gift you give to those close to you.”**

Recognize  
Value of  
Planning

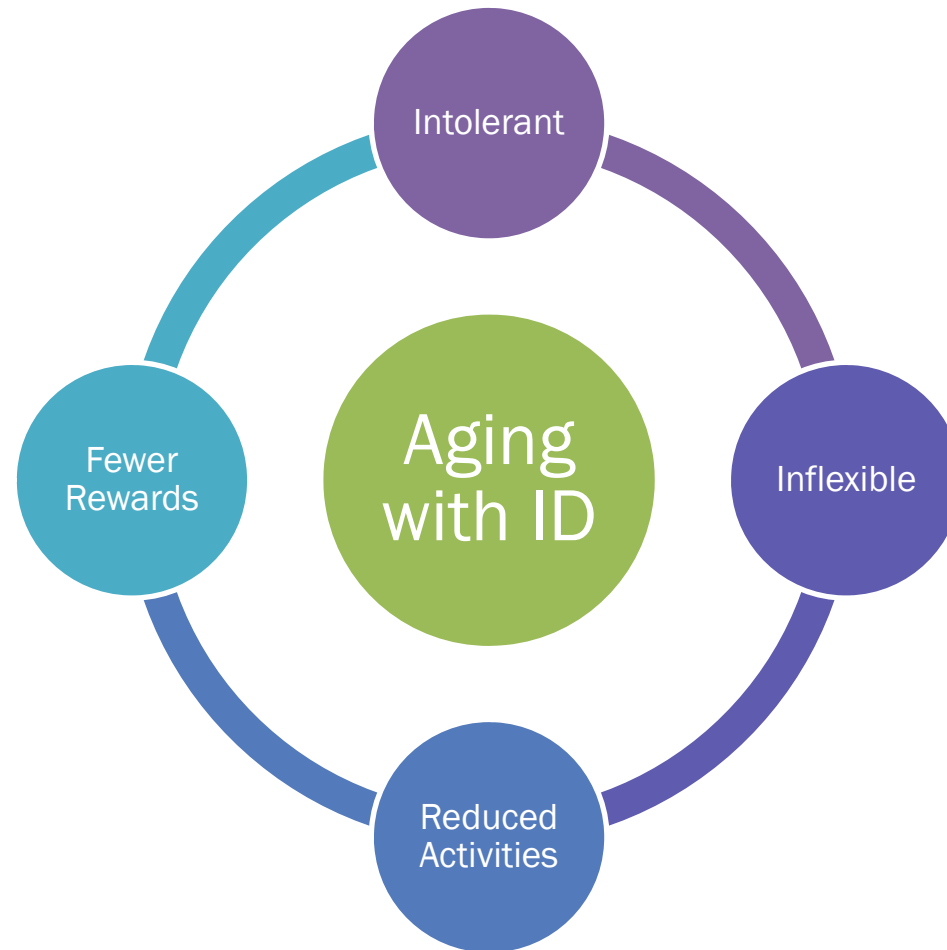


Specific  
Planning  
Opportunities

# Jim - 63 year old on autism spectrum



# General Consequences



# Medical Concerns

- Consistent Medical Care
  - Find primary Dr. who listens to and respects Jim for being Jim
  - Consent for medical care
    - Guardianship
    - Agent under Power of Attorney



# Medical Concerns (con't)

- Hospitalizations and tests are hard – avoid
  - What info will this test result provide that will help us make better treatment choices for Jim?
- Pain
  - Hard to recognize and control
  - Develop language of gauging pain
- Drug Interactions
- Investigate POLST

# Legal Concerns

Caregiver ages  
and declines

Tried and tested  
legal documents

**Plan  
Ahead**

Continuity of  
decision-making

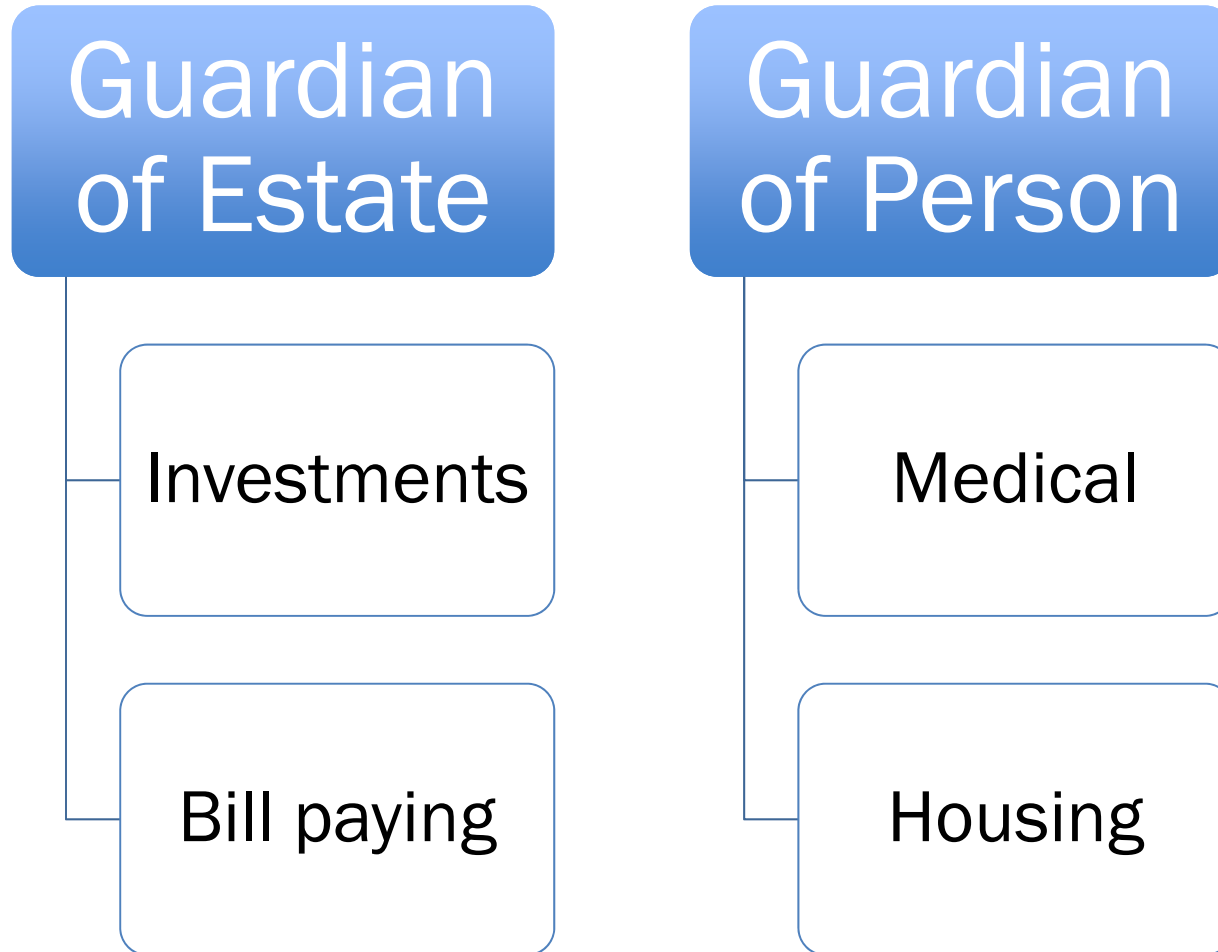
Caregiver's  
death

# Legal Concerns (con't)

- Does Jim have mental capacity to sign Power of Attorney or Will?
  - Does Jim own any assets?
  - If POA signed, need medical opinion of mental capacity
    - Medical POA
    - Financial POA



# Guardianship



# Guardianship

Plenary

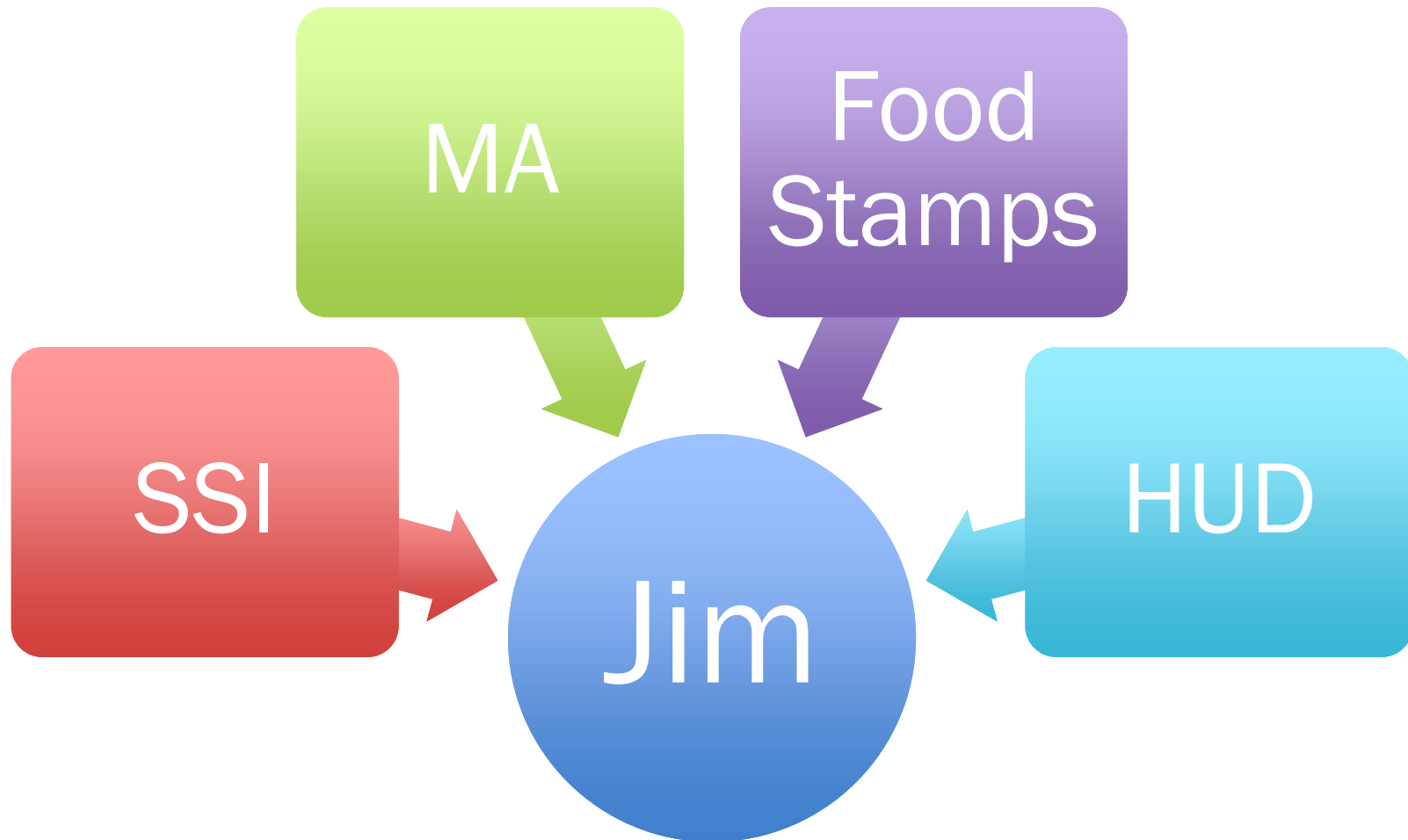
No  
reserved  
rights

Limited

Are  
reserved  
rights

Ex.: Voting

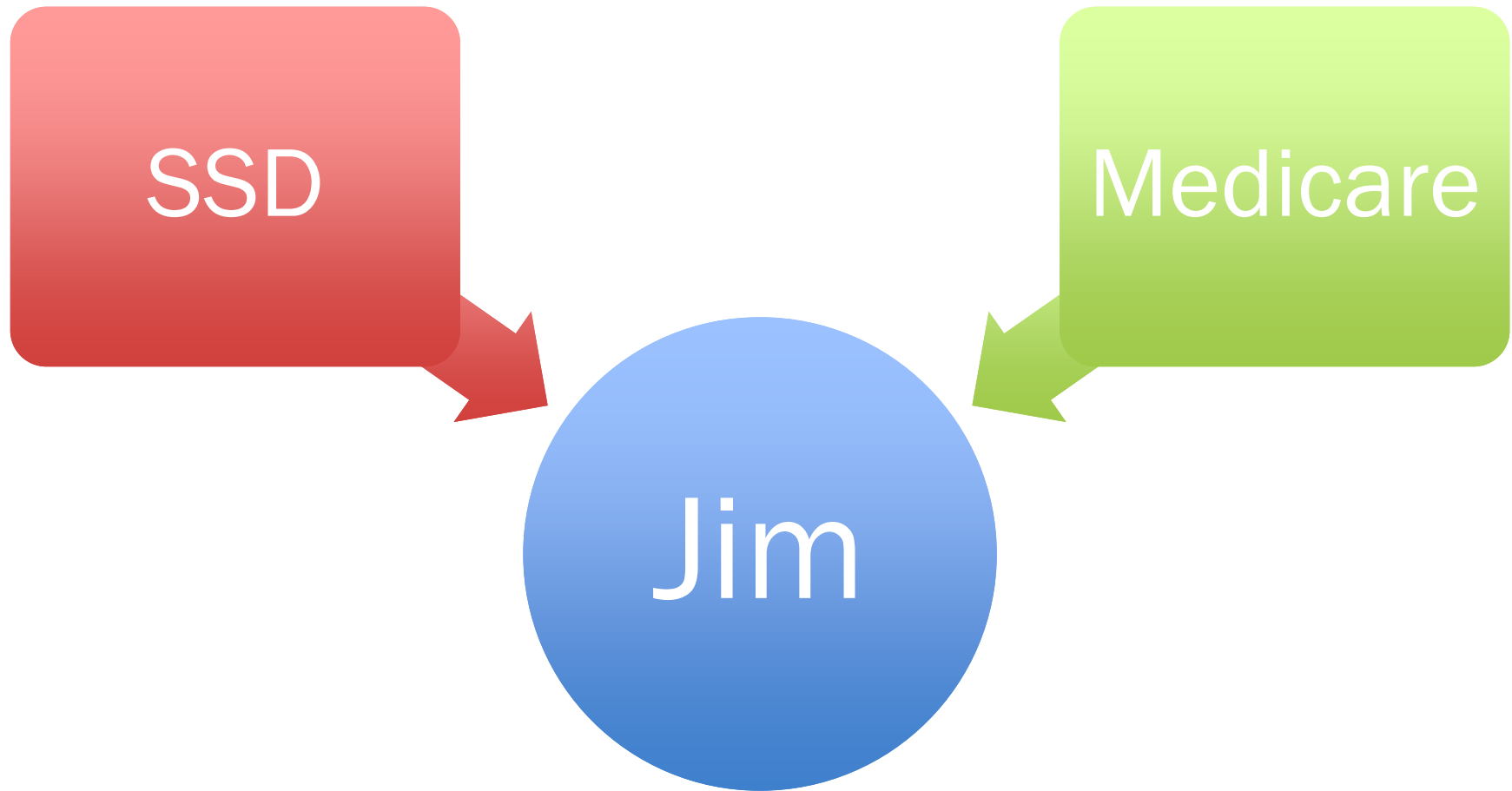
# Might Jim Inherit? **PROBLEM**



# Solutions

- May involve use of first and third party special needs trusts
- Learn about ABLE accounts – PA Treasury

# Might Jim Inherit? – More Options



# Family Feud is always problematic



“There is much grief and pain in our lives, but what a blessing it is when we do not have to live our grief and pain alone. That is the gift of compassion.”

- Henri Nouwen

**Thanks for your attention.**

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